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JOURNAL

OF THE

PROCEEDINGS OF THE COUNCIL,

OF

WASHINGTON TERRITORY,

DURING THE

NINETEENTH REGULAR SESSION,

BEGUN AND HELD AT OLYMPIA, THE SEAT OF GOVERNMENT, UPON THE FIRST MONDAY OF OCTOBER, 1873.

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1873.

JOURNAL

OF THE

PROCEEDINGS OF THE COUNCIL

COUNCIL CHAMBER,
Monday, October 6, 1873.

This being the day prescribed by law for the meeting of the Legislative Assembly of Washington Territory, the members elect of the council convened in the Council Chamber at 12 o'clock noon and were called to order by Elwood Evans, Esq., Secretary of the Council at its last session.

Upon the roll being called the following members answered to their respective names:

Jefferson and Clallam—Charles E. T. Wood.
Island, Snohomish and Whatcom—Thomas Cranney.
King and Kitsap—Joseph Foster.
Pierce, Chehalis and Mason—William H. Wallace.
Thurston and Lewis—William McLane.
Clarke, Cowlitz, Wahkiakum and Pacific—J. F. Smith.
Clarke, Skamania, Yakima, Klickitat—B. F. Shaw.
Walla Walla—Frederick Stine.
Walla Walla, Whitman and Stevens—C. H. Montgomery.

On motion of Mr. Stine,

The council was temporarily organized by the election of Hon. Wm. McLane as President, *pro tem.*

On motion of Mr. Foster,

Beriah Brown was elected Chief Clerk, *pro tem.*

On motion of Mr. Montgomery,

James N. Gale was elected Assistant Clerk, *pro tem*

On motion of Mr. Wood,

B. F. Pettygrove was elected Sergeant-at-Arms, *pro tem*

On motion of Mr. Wallace,

William C. Hawk was elected Doorkeeper, *pro tem*,

On motion of Mr. Wallace,

A committee of three on credentials was appointed. The committee was Messrs. Wallace, Montgomery and Shaw.

On motion of Mr. Montgomery,

The Council adjourned until to-morrow at 11 o'clock A M

BERIAH BROWN,
Chief Clerk, pro tem

COUNCIL CHAMBER,
October 7, 1873.

Council met pursuant to adjournment.

The President *pro tem* in the chair.

The roll being called the following members answered to their names :

Messrs. Cranney, Foster, Montgomery, Shaw, Smith, Stine, Wallace and Wood.

Committee on Credentials submitted the following report:

To the Honorable Council of the Territory of Washington:

Your Committee on Credentials would respectfully report that they have attended to the duties assigned to them:

And report the following gentlemen as entitled to seats in the Council as follows:

From the counties of Whatcom, Island and Snohomish, Thomas Cranney.

From King and Kitsap, Joseph Foster.

From Pierce, Mason and Chehalis, W. H. Wallace.

From Jefferson and Clallam, C. E. P. Wood.

From Lewis and Thurston, Wm. McLane.

From Clarke, Cowlitz, Pacific and Wahkiakum, John F. Smith.

From Clarke, Klickitat, Skamania and Yakima, B. F. Shaw.

From Walla Walla, Fred. Stine.

From Walla Walla, Stevens and Whitman, C. H. Montgomery.

W. H. WALLACE,
Chairman.

The Secretary of Washington Territory, Hon. H. G. Struve, was invited within the bar, and administered the oath of office to the members of the Council.

The Council then proceeded to the election of its permanent officers.

Mr. Stine nominated,

Hon. Wm. McLane for President.

Unanimously elected.

Mr. Foster nominated,

Periah Brown for Chief Clerk.

Unanimously elected.

Mr. Montgomery nominated,

J. N. Gale for Assistant Clerk.

Mr. Wallace nominated,

J. M. Hayes for Assistant Clerk.

Those voting for Mr. Gale were :

Messrs. Wood, Cranney, Foster, McLane, Shaw, Stine and Montgomery.

Mr. Gale was declared elected.

Mr. Stine nominated,

Levi Shelton for Sergeant-at-Arms.

Mr. Wood nominated,

B. F. Pettygrove for Sergeant-at-Arms.

Those voting for Mr. Shelton were :

Messrs. Foster, Shaw, Stine, Montgomery and Mr President–5.

Mr. Shelton was declared elected.

Mr. Cranney nominated,

William Fowler for Doorkeeper.

Mr. Wallace nominated,

W. C. Hawk for Doorkeeper.

Those voting for Mr. Fowler were :

Messrs. Cranney, Foster, Montgomery, Shaw, Stine, Wood and Mr. President–7.

Mr. Fowler was declared elected

Mr. Stine nominated,

Henry Lacy for Messenger.

Mr. Smith nominated,

S. P. McDonald for Messenger.

Those voting for Mr. Lacy were :

Messrs. Foster, Montgomery, Shaw, Stine and Mr. President–5.

Mr. Lacy was declared elected.

Mr. Stine nominated,

J. C. Chapman for Watchman.

Mr. Cranney nominated,

Mr. Mossman for Watchman.

Those voting for Mr. Chapman were :

Messrs. Foster, Montgomery, Shaw, Stine and Mr. President.

Mr. Chapman was declared elected.

Mr. Cranney nominated,

Rev. C. A. Huntington for Chaplain.

Mr. Wallace nominated,

Rev. John R. Thompson for Chaplain.

Mr. Huntington was declared elected.

On motion,

The Secretary of the Territory was invited within the bar, and administered the oath of office to the officers elect.

On motion of Mr. Cranney,

The Chief Clerk was instructed to inform the House of the permanent organization of the Council.

The following message was received from the House :

HOUSE OF REPRESENTATIVES,
October 7, 1873

MR. PRESIDENT—

I am instructed by the House to inform the Council that the house has permanently organized by the appointment of:

N. T. Caton, Speaker; Charles W. Frush, Chief Clerk; J. E. Ebey, Assistant Clerk; W. Guess, Engrossing Clerk, Miss Mary O'Neil, Enrolling Clerk; Jacob Isaac, Sergeant-at-Arms; Mr. Scott, Doorkeeper; Rev. P. E. Hyland, Chaplain.

And are now ready for the transaction of business.

CHARLES W. FRUSH,
Chief Clerk.

Council adjourned until to-morrow morning at 11 o'clock.

BERIAH BROWN,
Chief Clerk.

COUNCIL CHAMBER,
October 8, 1873.

Council met pursuant to adjournment.

Mr. President in the Chair.

Roll being called the following members answered to their names :

Messrs. Cranney, Foster, Montgomery, Shaw, Smith, Stine, Wallace and Wood.

Prayer by the Chaplain.

The Journals of the fifth and sixth were read and approved.

The President announced the Standing Committees as follows :

FEDERAL RELATIONS.

Messrs. Stine, Shaw and Wood.

JUDICIARY.

Messrs. Wallace, Montgomery and Stine.

WAYS AND MEANS.

Messrs. Montgomery, Cranney and Smith.

ELECTIONS.

Messrs. Shaw, Wallace and Foster.

AGRICULTURE.

Messrs. Foster, Shaw and Stine.

EDUCATION.

Messrs. Cranney, Smith and Montgomery.

COMMERCE.

Messrs. Wood, Wallace and Shaw.

CORPORATIONS.

Messrs. Shaw, Cranney and Montgomery.

PRINTING.

Messrs. Foster, Stine and Smith.

RULES AND ORDERS.

Messrs. Wallace, Shaw and Montgomery.

CLAIMS.

Messrs. Montgomery, Wallace and Shaw.

MILITARY AFFAIRS.

Messrs. Shaw, Wallace and Wood.

ROADS AND HIGHWAYS.

Messrs. Foster, Montgomery and Shaw.

INDIAN AFFAIRS.

Messrs. Montgomery, Shaw and Cranney.

ENGROSSED BILLS.

Messrs. Shaw, Smith and Stine.

ENROLLED BILLS.

Messrs. Cranney, Wallace and Wood.

MINING.

Messrs. Wood, Montgomery and Foster.

COUNTIES.

Messrs. Foster, Smith and Stine.

TERRITORIAL LIBRARY.

Messrs. Wallace, Wood and Montgomery.

PUBLIC BUILDINGS AND GROUNDS.

Messrs. Shaw, Wallace and Foster.

On motion of Mr. Smith,

Mr. Wood was granted leave of absence for two weeks.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES,
October 7, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the passage of

H. J. R. 1—Relative to the appointment of a committee to wait upon the Governor, and request their concurrence therein.

C. W. FRUSH,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
October 7, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the passage of

H. J. R. 2—Relative to appointing a committee to visit the Territorial Penitentiary, etc., and request your concurrence therein.

C. W. FRUSH,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
October 7, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the passage of

H. J. R. 3—Relative to appointing a committee to confer upon printing, and request their concurrence therein.

C. W. FRUSH,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
October 8, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the appointment of Messrs. Lacy, Hovey and Van Vleet on the part of the House, under

H. J. R. 1—To wait upon the Governor.

C. W. FRUSH,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
October 8, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the

appointment of Messrs. Henry, Gosnell and Favorite, on the part of the House, under

H. J. R. 3—To confer upon printing.

C. W. FRUSH,
Chief Clerk.

Message from the Secretary as follows:

TERRITORY OF WASHINGTON,
OFFICE OF THE SECRETARY,
Olympia, W. T., October 7, 1873.

TO THE HON. PRESIDENT,

Legislative Council, W. T.

I have the honor to inform the Legislative Council that Clarence B. Bagley and John R. Harned have been appointed Public Printers for the present session of the Legislative Assembly. The appointment has been made by this office, in obedience to instructions from the Treasury Department of the United States. The Congressional appropriation having been limited to the amount of four thousand dollars, printing aggregating that sum will be done by Messrs. Bagley and Harned and paid for by this office.

Very respectfully,
Your obedient servant,
HENRY G. STRUVE,
Secretary W. T.

Mr. Smith introduced,

C. B. 1—An act to change the name of Laura Lamb to Laura Tripp, and to make her the heir-at-law of Abel G. Tripp and Ruth Tripp, of Vancouver, Washington Territory.

Read first and second times.

Referred to Committee on Judiciary.

Mr. Stine introduced,

C. B. 2—An act creating and providing for certain terms of the District Court of the First Judicial District.

Bill read first and second times.

Rules suspended, read third time, and passed.

On motion of Mr. Montgomery,

H. J. R. 1—Was read first and second times.

Rules suspended, read third time, and passed.

H. J. R. 2—Read first and second times.

On motion of Mr. McLane,

Was made the special order for the 25th day of December next.

H. J. R. 3—Read first and second times.

Rules suspended, read third time, and passed.

On motion of Mr. Stine,

The Secretary of the Territory was requested by the Council to furnish a table inside the bar for the use of newspaper reporters.

The President appointed under

H. J. R. 3—Messrs. Montgomery, Cranney and Shaw, on the part of the Council, a committee to confer upon the subject of printing.

The President, under

H. J R. 1—Appointed Messrs. Wallace and Wood on the committee to wait on the Governor.

On motion of Mr. Smith,

The vote by which H. J. R. 2 was made the special order of the day for the 25th of December was reconsidered, and said resolution was made the special order for to-morrow at 2 o'clock.

Council took a recess until 2 o'clock P. M.

COUNCIL CHAMBER,
October 8, 1873.
2 O'CLOCK, P. M.

Council called to order.

Mr. Stine in the chair.

Mr. Wallace, from the Committee appointed to wait upon the Governor, reported verbally that the Governor would meet the Legislative Assembly in joint convention at 11 o'clock to-morrow.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
October 8, 1873.

I am instructed by the House to inform the Council of the passage of

H. J. R. 4—Relative to the meeting of both Houses in joint convention. And request your concurrence therein.

C. W. FRUSH,
Chief Clerk.

On motion of Mr. Wallace,

Council adjourned till to-morrow at half-past ten o'clock.

BERIAH BROWN,
Chief Clerk.

COUNCIL CHAMBER,
October 9, 1873.

Council met pursuant to adjournment.

Mr. President in the chair.

On calling the roll the following members answered to their names:

Messrs. Cranney, Foster, Montgomery, Shaw, Smith, Stine and Wallace.

Prayer by the Chaplain.

On motion of Mr. Stine,

The oath of office was administered to Henry Lacy, Messenger, by W. H. Wallace, Notary Public.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
October 9, 1873.

MR. PRESIDENT—

I am instrhcted by the Council to inform the House that the House is now prepared to receive the Council in joint convention to hear the Governor's Message.

C. W. FRUSH,
Chief Clerk.

On motion of Mr. Wallace,

The Council now proceeded to the Hall of the House of Representatives, to meet in joint convention with the House, to hear the Governor's Message, and the following proceedings were had in said joint convention:

JOINT CONVENTION.

The Council having repaired to the hall of the House of Representatives, the Joint Convention was called to order by President of the Council.

Upon calling the roll the following members answered to their names:

COUNCIL.

Messrs. Cranney, Foster, Montgomery, Shaw, Smith, Stine, Wallace and Mr. President.

HOUSE.

Messrs. Abbott, Bush, Bryant, Brazee, Burke, Clark, (of Clarke) Cook, Cline, Crockett, Clymer, Clark, (of Pierce) Eldridge, Favorite, Gile, Gosnell, Harriman, Henry, Hodges, Hovey, Judson, Kuhn, Lacy, Moore, Ping, Russel, Rodgers, Van Vleet, Ward, Yantis, Mr. Speaker.

Mr. Eldridge moved,

That the Joint Committee appointed to wait upon the

Governor, be directed to wait upon his Excellency the Governor, and inform him that the two Houses are in Joint Convention, prepared to hear his Message. [For Message see appendix.]

The Governor returned with the Committee and proceeded to deliver his Message.

The business for which the Joint Convention had assembled having been transacted, the Council returned to their Chamber.

On motion of Mr. Wallace,

The Council adjourned until 2 o'clock this afternoon.

COUNCIL CHAMBER,
October 9, 2 O'CLOCK P.M.

Council met pursuant to adjournment.

Mr. President in the chair.

Special order,

H. J. R. 2—was taken up.

On motion of Mr. Wallace,

Resolution laid on the table.

On motion of Mr. Foster,

The Council adjonrned until 11 A.M. to-morrow.

BERIAH BROWN,
Chief Clerk, pro tem.

COUNCIL CHAMBER,
October 10, 1873.

Council met pursuant to adjournment.

Mr. President in the chair.

On roll being called the following members answered to their names:

Messrs. Cranney, Foster, Montgomery, Shaw, Smith, Stine and Wallace.

Prayer by the Chaplain.

Journals of the 8th and 9th read and approved.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES,
October 10, 1873.

MR. PRESIDENT:

I am instructed by the House to inform the Council of the introduction of the following bills:

H. B. 1—An act to amend an act entitled an act relative to the rights of property as affected hy marriage.

H. B. 2—Relative to fixing compensation of auditor of Walla Walla county.

H. B. 3—Relative to fixing compensation of treasurer of Walla Walla county.

H. B. 4—Relative to incorporating Kalama Lodge No. 17, F. & A. M.

H. B. 5—An act relative to common school system.

H. B. 6—An act relative to the assessing and collecting of county and territorial taxes.

H. B. 7—An act relative to chaning the boundaries of Clarke and Cowlitz counties.

CHARLES W. FRUSH,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
October 10, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the introduction of the following bills:

H. B. 8—An act to amend an act entitled an act to incorporate the city of Port Townsend, Jefferson county, W. T. Passed January 16, 1860. Amended Nov. 29, 1871.

H. B. 9—An act to amend an act entitled an act preventing hogs trespassing in certain counties.

H. B. 10—An act relative to encouraging the growth of timber in certain counties.

H. B. 11—An act relative to railroads.

H. B. 12—An act to amend an act entitled an act relative to infectious diseases among domestic animals.

H. B. 14—An act to change the name of Samuel Farris to that of Samuel Lovell, and also the passing of

H. B. 13—Relative to the changing of the name of Alexander Braid Munroe to that of Edward Eldridge.

C. W. FRUSH,
Chief Clerk.

Miss Mary Brant, Engrossing Clerk, appeared and was sworn in by W. H. Wallace, Notary Public.

Mr. Wallace, Chairman of Judiciary Committee, reported,

C. B. 1—An act to change the name of Laura Lamb to Laura Tripp, and to make her the heir-at-law of Abel G. Tripp and Ruth Tripp, of Vancouver, Washington Territory.

With the recommendation that it do pass, and

On motion of Mr. Wallace,

C. B. 1—Was taken up, read a third time and passed.

Mr. Cranney introduced,

C. B. 3—An act amending an act entitled an act to fix the

time of holding the Supreme and District Courts, passed October 20, 1871.

Read first and second times, and referred to Committee on Judiciary.

H. B. 13—An act to change the name of Alexander Braid Munroe to Edward Eldridge.

Read first and second times.

Rules suspended, read third time, and passed.

On motion of Mr. Cranney,

The Council adjourned until 10 A.M. to-morrow.

BERIAH BROWN,
Chief Clerk.

COUNCIL CHAMBER,
October 11, 1873.

Council met pursuant to adjournment.

Mr. President in the chair.

On calling the roll the following members answered to their names:

Messrs. Cranney, Foster, Montgomery, Shaw, Stine and Smith.

Prayer by the Chaplain.

The Journal of yesterday read and approved.

Mr. Smith introduced,

Memorial to Congress for an appropriation to remove obstructions from the South Fork of Lewis River, in Clarke county.

On motion of Mr. Foster,

Mr. Wallace was granted leave of absence until next Monday.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES,
October 11, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the passage of

H. B. 2—Relative to fixing compensation of auditor of Walla Walla county, and

H. B. 3—Relative to fixing compensation of treasurer of Walla Walla county.

And herewith transmit the same.

CHARLES W. FRUSH,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
October 11, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the passage of

H. B. 9—An act to amend an act entitled an act to prevent hogs trespassing in certain counties.

And herewith transmit the same.

C. W. FRUSH,
Chief Clerk.

Mr. Montgomery, from Joint Committee on Printing, submitted the following report:

MR. PRESIDENT—

Your committee appointed by the Council to act with a like committee on the part of the House, to consider the subject of printing for the two Houses, have performed the duty assigned them, and have agreed to report to their respective Houses as follows:

That the Secretary of the Territory, acting under the instructions of the Secretary of the Treasury of the U. S. has for

several years claimed and exercised the prerogative of appointing the Territorial printer, and disbursing the moneys appropriated by the General Government for printing.

That $4,000 is the sum appropriated by the General Government for printing the laws and journals of the present session, and that the amount to be paid for the Territorial printing of one year, is limited by a law of Congress to that sum.

That the Secretary of the Territory has appointed Messrs. Bagley & Harned, Territorial printers, and contracted with them to do the printing of the Assembly to the amount of said appropriation of $4,000, at the Government rates.

That the Joint Committee, after a full examination of the subject, were of the opinion that at the rates contracted by the Secretary with Messrs. Bagley & Harned, the sum appropriated by the General Government will not be sufficient to pay for the printing of the laws and journals, and the incidental printing of the session.

And having ascertained that there will be no difficulty in procuring the printing to be done at about one-half the maximum Government rates, concluded to join in a recommendation to their respective Houses that they adopt and pursue a system of economy in printing for the use of the members only such bills and matter as may be of a general nature.

And second, without raising a question as to the right of the Secretary of the Territory to disburse the money appropriated by the General Government for printing, that the Assembly contract with some responsible party to do the incidental printing at a fixed rate, to be paid out of the Territorial funds should the Secretary of the Territory not provide for the payment of the same.

C. H. MONTGOMERY,
Chairman.

On motion of Mr. McLane, (Mr. Stine in the chair.)

The report was received and laid on the table.

H. B. 9—An act to amend an act entitled an act to prevent hogs from trespassing in certain counties.

Bill read first and second times.

Referred to Committee on Commerce.

H. B. 2—An act fixing the compensation of Auditor of Walla Walla county.

Read first and second times.

Rules suspended, read third time and passed.

H. B. 3—An act fixing the compensation of the Treasurer of Walla Walla county.

Read first and second times.

Rules suspended, read third time and passed.

On motion of Mr. Stine,

The Council adjourned until 2 o'clock this afternoon.

BERIAH BROWN,
Chief Clerk.

AFTERNOON SESSION.

COUNCIL CHAMBER,
October 11, 1873.
2 O'CLOCK, P. M.

Council met pursuant to adjournment.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
October 11, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the passing of

H. J. R. 5—Fixing rates of compensation for Territorial printer, and for the appointment of Territorial printer.

And herewith transmit the same.

C. W. FRUSH,
Chief Clerk

H. J. R. 5—Fixing rates of printing and appointing a Territorial printer.

Read first and second times.

Rules suspended, read third time and passed.

Mr. Smith moved,

To print five hundred copies of Governor's Message.

Mr. Cranney moved,

To amend by ordering one thousand copies.

Amendment adopted, and motion passed.

On motion of Mr. Stine,

Council adjourned till Monday at ten o'clock A. M.

BERIAH BROWN,
Chief Clerk.

COUNCIL CHAMBER,
October 13, 1873.

Council met pursuant to adjournment.

Mr. President in the chair.

On roll being called the following members answered to their names:

Messrs. Cranney, Foster, Montgomery, Shaw, Smith, Stine and Wallace.

Prayer by the Chaplain.

The Journal of the eleventh was read and approved.

Committee on Commerce reported back,

H. B. 9—An act to amend an act preventing hogs from trespassing in certain counties.

Without amendment, with the recommendation that it do pass.

Bill read third time and passed.

On motion of Mr. Shaw,

The Council adjourned until to-morrow at 10 o'clock A. M.

BERIAH BROWN,
Chief Clerk.

COUNCIL CHAMBER,
October 14, 1873.

Council met pursuant to adjournment.

Mr. President in the chair.

The roll being called the following members answered to their names:

Messrs. Cranney, Foster, Montgomery, Shaw, Smith, Stine and Wallace.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Montgomery, from the Joint Committee on Printing, reported the following rule which was adopted:

No petitions, memorials, remonstrances, resolutions or bills of a private or local nature shall be printed for the use and convenience of the members of the Council.

Mr. President presented to the Council,

Report of Superintendent of Common Schools.

Mr. President moved that the Report be printed.

The ayes and noes being called, those who voted in the affirmative were:

Messrs. Foster, Montgomery, Stine, Wallace and Mr. President–5.

Those voting in the negative were:

Messrs. Cranney and Shaw.

On motion of Mr. Smith,

The Committee on Rules and Orders were directed to report to-morrow.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES,
October 13, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the passage of

C. M. 1—Relative to opening the South Fork of Lewis River, &c.

And herewith transmit the same.

C. W. FRUSH,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
October 14, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the Speaker has signed the following:

H. B. 2—An act fixing the compensation of Auditor of Walla Walla county.

H. B. 3—An act fixing the compensation of Treasurer of Walla Walla county.

H. B. 13—An act to change the name of Alexander Braid Munro to that of Edward Eldridge.

H. J. R. 5—Fixing the rate of compensation of Territorial printer, and the appointment of Territorial printer.

C. W. FRUSH,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
October 13, 1873.

MR. PRESIDENT:

I am instructed by the House to inform the Council of the introduction of the following bills:

H. B. 15.—An act to encourage the growth of oysters.

H. B. 16—An act to amend an act providing for holding joint conventions to elect Territorial officers.

H. B. 17—An act relative to stock marks.

H. B. 18—An act entitled an act in relation to licenses.

H. B. 19—An act relative to estrays.

H. B. 20—An act to provide for the formation of corporations.

H. B. 21—An act to confirm the title of tide lands to the Seattle and W. W. R. R. Co.

H. M. 1—Relative to moving obstructions in the Skagit and Nootsack rivers.

C. W. FRUSH,
Chief Clerk.

The President announced the signing of the following:

An act fixing the compensation of the county auditor of Walla Walla county.

An act fixing the compensation of the county treasurer of Walla Walla county.

An act to change the name of Alexander Braid Munro to that of Edward Eldridge.

H. J. R. 5—Fixing rates of compensation for Territorial printing, and for the appointment of Territorial printer.

On motion of Mr. Foster,

Council adjourned until to-morrow morning at 11 o'clock A. M.

BERIAH BROWN,
Chief Clerk.

COUNCIL CHAMBER,
October 15, 1873.

Council met pursuant to adjournment.

Mr. President in the Chair.

Roll being called the following members answered to their names:

Messrs. Foster, Montgomery, Shaw, Stine, Smith, Cranney and Wallace.

Prayer by the Chaplain.

Journals of yesterday read and approved.

Mr. Wallace, from Judiciary Committee reported back C. B. 3 without amendment, recommending its passage.

Mr. Wallace, from Committee on Rules and Orders reported the following:

Rule 18.—It shall be the duty of the Messenger and Watchman to discharge such duties, in and about the Council Chamber as the President of the Council may direct.

Mr. Cranney, from the Committee on Enrolled bills, reported as correctly enrolled:

C. M. 1—Memorial to Congress for an appropriation to improve the navigation of the South Fork of Lewis river.

Mr. Smith introduced,

C. B. 4—An act to change the name of Thomas John Harrington.

Report of Committee on Rules and Orders adopted, and 50 copies ordered printed.

C. B. 3—An act amending an act entitled an act to fix the terms of holding the Supreme and District Courts. Passed October 20, 1871.

Read third time and passed.

C. B. 4—An act to change the name of Thomas John Harrington.

Read second time.

Referred to Committee on Judiciary.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES,
October 15, 1873.

MR. PRESIDENT:

I am instructed by the House to inform the Council of the introduction of the following bills:

H. B. 26—An act to create and organize the county of Skagit.

H. B. 27—An act to confirm the establishment of a Territorial road.

H. B. 28—An act entitled an act to regulate fees and costs of sheriffs of Washington Territory.

H. B. 29—An act to declare all streams and sloughs in Snohomish county public highways.

H. B. 30—An act relative to the collection of public moneys.

H. B. 31—An act the better to provide for the prompt and convenient dispatch of business in the District Courts of this Territory.

H. B. 32—An act to fix the terms of holding of the Supreme and District Courts.

H. B. 33—An act to amend and repeal in part an act entitled an act to subdivide the Judicial districts of Washington Territory, and providing places for holding Courts therein. Approved Nov. 28, 1871.

C. W. FRUSH,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
October 15, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the passage of

H. B. 12—An act to amend an act entitled an act to prevent the spread of contagious and infectious diseases among domestic animals.

H. B. 16—An act to amend an act providing for the holding of a Joint Convention for the election of Territorial officers.

H. B. 17—An act relating to stock marks.

And herewith transmit the same.

C. W. FRUSH,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
October 14, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the introduction of the following bills:

H. B. 22—An act to dissolve the bonds of matrimony heretofore existing between Andrew J. Moses and Sarah J. Moses.

H. B. 23—An act for the relief of the Sheriff of Pierce county.

H. B. 24—An act to amend an act entitled an act making county auditors *ex-officio* clerks of probate courts of their respective counties.

H. B. 25—An act providing for the construction of a county jail in Walla Walla county, and the levying and collecting of a special tax therefor.

H. M. 1—Relative to the navigation of the Chehalis river.

And also the passing of

H. B. 19—An act in relation to estrays in the county of Walla Walla.

And herewith transmit the same.

C. W. FRUSH,
Chief Clerk.

H. B. 12—An act entitled an act to amend an act to prevent the spread of contagious diseases among domestic animals.

Read first and second times.

Referred to Committee on Agriculture.

H. B. 16—An act to amend an act providing for the holding of Joint Convention to elect Territorial officers.

Read first and second times.

Rules suspended, read third time, and passed.

H. B. 17—An act relating to stock marks.

Read first and second times.

Referred to Committee on Agriculture.

H. B. 19—An act in relation to estrays in the county of Walla Walla.

Read first and second times.

Referred to Special Committee of Walla Walla delegation.

On motion of Mr. Smith,

Council adjourned till to-morrow at ten o'clock A. M.

BERIAH BROWN,
Chief Clerk.

COUNCIL CHAMBER,
October 16, 1873.

Council met pursuant to adjournment.

Mr. President in the chair.

On roll being called the following members answered to their names:

Messrs. Cranney, Foster, Montgomery, Shaw, Smith, Stine, Wallace and Wood.

Prayer by the Chaplain.

The Journal of yesterday was read and approved.

Mr. Shaw introduced,

C. B. 5—An act to change the boundaries of Clarke county.

C. B. 6—An act to repeal an act entitled an act regulating taxes on railroads.

Mr. Smith introduced,

C. B. 7—An act to authorize the county commissioners of Clarke county, Washington Territory, to use any funds of said county treasury, not otherwise appropriated, for repairing and building of bridges on county roads authorized to be repaired or built by said county commissioners, or that may already have been so repaired or built.

C. B. 5—An act to change the boundaries of Clarke county.

Read first and second times.

Referred to Committee on Counties.

C. B. 6—An act to repeal an act entitled an act regulating taxes on railroads.

Read first and second times.

Referred to Committee on Ways and Means.

C. B. 7—An act to authorize the county commissioners of Clarke county, Washington Territory, to use any funds of said county treasury not otherwise appropriated, for repairing and building of bridges on county roads authorized to be repaired or built by said county commissioners, or that may already have been so repaired or built.

Read first and second times.

Referred to Special Committee of members from Clarke county.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES,
October 16, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the Speaker has signed the following:

C. M. 1—Relative to opening the South Fork of Lewis River, &c.

H. B. 9—An act to amend an act entitled an act preventing hogs from trespassing in certain counties.

Also the passing of

H. B. 7—An act relative to changing the boundaries of Clarke and Cowlitz counties.

H. B. 4—Relative to incorporating Kalama Lodge No. 17, F. & A. M.

C. W. FRUSH,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
October 16, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the introduction of the following bills:

H. B. 34—An act to change the name of James Valentine to James Fares.

H. B. 35—An act to regulate costs and fees.

H. B. 36—An act to amend an act entitled an act to amend an act entitled an act to regulate the practice and proceedings in civil cases. Approved Nov. 29, 1871.

H. B. 37—An act confirming a name upon an orphan girl, and making her an heir-at-law of Cyril Ward and Susan Ward his wife.

Also the passing of

H. B. 34—An act to change the name of James Valentine to James Fares.

C. W. FRUSH,
Chief Clerk.

H. B. 7—An act relative to changing the boundaries of Clarke and Cowlitz counties.

Read first and second times.

Laid on the table.

H. B. 4—Relative to incorporating Kalama Lodge, No. 17. F. & A. M.

Read first and second times.

Referred to Committee on corporations.

H. B. 35—An act to regulate costs and fees.

Referred to Committee on Judiciary.

On motion of Mr. Foster,

The Council adjourned until to-morrow at 10 o'clock A. M.

BERIAH BROWN,
Chief Clerk.

COUNCIL CHAMBER,
October 17, 1873.

Council met pursuant to adjournment.

Mr. President in the chair.

The roll being called the following members answered to their names:

Messrs. Cranney, Foster, Montgomery, Shaw, Smith, Stine, Wallace and Wood.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Smith, from Committee on Counties, reported

C. B. 5—An act to change the boundaries of Clarke county.

Without amendment, recommending its passage.

Mr. Smith, from Select Committee, reported

C. B. 7—An act to authorize the county commissioners of Clarke county, Washington Territory, to use any funds of said

county treasury not otherwise appropriated, for repairing and building of bridges on county roads authorized to be repaired or built by said county commissioners, or that may already have been so repaired or built.

Without amendment, with the recommendation that it do pass.

C. B. 5—An act to change the boundaries of Clarke county.

Bill read third time and passed.

C. B. 6—An act regulating taxes on railroads.

Read third time and passed.

C. B. 7—An act authorizing county commissioners of Clarke county to appropriate funds for building bridges.

Read third time and passed.

Mr. Montgomery, from Select Committee, reported

H. B. 12—An act to amend an act entitled an act relative to infectious diseases among domestic animals.

Read third time and passed.

Mr. Foster, from Committee on Agriculture, reported

H. B. 17—Relating to stock marks.

Read third time and passed.

Mr. Stine, from Select Committee, reported

H. B. 19—An act in relation to estrays in Walla Walla county.

Read third time and passed.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
October 16, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the passing of

H. B. 14—An act to change the name of Samuel Farris

Grasty to that of Samuel Farris Lovell, and make him the heir-at-law of Alfred M. Lovell and Martha Lovell.

H. M. 1—Relative to removing the obstructions in the Skagit and Nootsack river.

H. M. 2—Relative to constructing a port of asylum on the Pacific coast.

H. M. 3—Relative to the free navigation of the Chehalis river.

And also substitute for

H. B. 33—An act to define the Judicial Districts, and also to subdivide the Judicial Districts in W. T., and providing places for holding Court therein.

And also,

C. B. 1—An act to change the name of Laura Lamb to Laura Tripp, and to make her the heir-at-law of Abel G. Tripp and Ruth Tripp, of Vancouver, Washington Territory.

CHARLES W. FRUSH,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
October 17, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the passage of

H. J. R. 6—Relative to a compilation of the laws.

And ask your concurrence therein.

C. W. FRUSH,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
October 17, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the introduction of the following:

H. B. 38—An act authorizing D. N. Porter and J. W. Busby to build a wharf at Penn's Cove.

H. B. 39—An act appropriating money to complete the Snoqualmie wagon road through the Cascade Mountains.

And the passing of

H. B. 40—An act constituting A. L. Porter, of Pierce county, the guardian of Mary L. Weller, a minor, and declaring her his heir-at-law.

And also the Speaker has signed

H. B. 16—An act to amend an act entitled an act providing for the holding of a Joint Convention to elect Territorial officers. Approved November 27, 1869.

And herewith transmit the same.

C. W. FRUSH,
Chief Clerk.

The following were signed by the President:

C. M. 1—Memorial to Congress for an appropriation to improve the navigation of the South Fork of Lewis river.

H. B. 9—An act to amend an act entitled an act to prevent hogs trespassing in certain counties. Approved December 2, 1869.

H. B. 16—An act to amend an act entitled an act providing for the holding of Joint Convention to elect Territorial officers. Approved Nov. 27, 1869.

H. M. 2—Praying Congress to establish an asylum of safety on the North Pacific Coast.

Read first and second times.

Referred to Committee on Commerce.

H. M. 1—Relative to the removal of obstructions from the Skagit and Nootsack rivers.

Read first and second times.

Referred to Committee on Commerce.

H. M. 3—Relative to the free navigation of the Chehalis river.

Read first and second times.

H. J. R. 6—Resolved by the House, the Council concurring, that the Judiciary Committee of the Council and House of Representatives, prepare and present to the present session of the Legislative Assembly, a complete compilation of the General Laws of the Territory, with such modifications and amendments as may be required.

Read first and second times.

Referred to Committee on Judiciary.

H. S. B. 33—An act defining Judicial districts.

Read first and second times.

Referred to a special committee, consisting of Messrs. Montgomery, Smith and Granney.

H. B. 14—A bill to change the name of Samuel Farris Grasty to Samuel Farris Lovell.

Read first and second times.

Referred to Committee on Education.

H. B. 40—An act constituting A. L. Porter guardian of Mary L. Weller.

Read first and second times.

Referred to Committee on Education.

On motion of Mr. Foster,

The Council adjourned until 11 A.M. to-morrow.

BERIAH BROWN,
Chief Clerk.

COUNCIL CHAMBER,
October 18, 1873.

Council met pursuant to adjournment.

Read first and second times.

On motion of Mr. Wallace,

Mr. President in the chair.

On calling the roll the following members answered to their names:

Messrs. Cranney, Foster, Montgomery, Shaw, Smith, Stine, Wallace and Wood.

Prayer by the Chaplain.

The Journal of yesterday read and approved.

Mr. Wallace from the Judiciary Committee, reported

H. J. R. 6—In relation to compiling the laws.

Without amendment, recommending its passage.

Mr. Stine dissenting.

Also,

H. B. 34—An act to change the name of James Valentine to James Fares.

Without amendment, recommending its passage.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES,
October 17, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the introduction of the following bills:

H. B. 41—An act to regulate the drainage of marsh and swamp lands.

H. B. 42—An act to encourage the cultivation of oysters.

H. B. 43—An act creating a board of pilots and pilot commissioners for the Columbia river bar.

H. B. 44—An act relating to quartz mining claims.

H. B. 45—An act relative to trial by jury.

H. B. 46—An act for the relief of John McBrail.

And also the passing of

H. M. 4—Relative to conferring certain powers on the county commissioners of Thurston county.

H. M. 5—Relative to mud flats in front of Olympia.

H. M. 6—Relative to Seattle and W. W. R. R. and Transportation Co.

H. B. 1—An act to repeal an act entitled an act relative to the rights of property as affected by marriage.

H. B. 27—An act to confirm the establishment of a Territorial road.

H. S. B. 29—An act to declare all streams and sloughs in Snohomish county public highways.

C. W. FRUSH,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
October 18, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the Speaker has signed the following:

C. B. 1—An act to change the name of Laura Lamb to Laura Tripp, and make her the heir-at-law of A. G. Tripp and Ruth Tripp, of Vancouver, W. T.

And the passing of the following:

H. J. R. 7—Relative to a Joint Committee to visit the Insane Asylum.

Also the introduction of the following bills:

H. B. 47—An act relating to Justices of the Peace and proceedings in Justice's court.

H. B. 48—An act for the relief of Wm. R. Downey.

H. B. 49—An act to amend an act entitled an act relative te roads, ferries and public highways.

C. W. FRUSH,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
October 18, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the Speaker has signed the following:

H. B. 12—An act to amend an act entitled an act to prevent the spread of contagious and infectious diseases among domestic animals.

H. B. 17—An act relating to stock marks.

H. B. 19—An act in relation to estrays in the county of Walla Walla.

H. S. B. 37—An act confirming a name upon an orphan girl, and making her an heir-at-law of Cyril Ward and Susan Ward his wife.

C. W. FRUSH,
Chief Clerk.

Mr. Cranney, from the Committee on Education, reported.

H. B. 14—An act to change the name of Samuel Farris to that of Samuel Lovell.

With the following amendment:

SEC. 3. That this act take effect and be in force from and after its passage.

Also,

H. B. 40—An act constituting A. L. Porter, of Pierce county, the guardian of Mary L. Weller, a minor, and making her his heir-at-law.

Without amendment, recommending its passage.

Mr. Smith, on leave, introduced,

C. B. 8—An act for the relief of Clarke county.

Read first and second times.

Referred to Committee on Ways and Means.

Mr. Montgomery, from Select Committee, reported,

H. S. B. 33—An act to amend and repeal in part an act entitled an act to subdivide the Judicial districts of Washington Territory, and providing places for holding Courts therein. Approved Nov. 28, 1871.

Rules suspended, read third time and passed.

With the following amendments,

Strike out Section 6, and insert:

That the county of Stevens shall constitute the third sub-district, and Fort Colville shall be the place for holding courts therein.

Strike out Section 4, and insert:

That Walla Walla and Whitman counties shall constitute one sub-district, and Walla Walla city shall be the place for holding courts therein.

Strike out Section 8, and insert:

That the county of Pacific shall be the second sub-district, and Oysterville the place for holding courts therein.

Report adopted.

Bill read third time and passed.

H. B. 14—An act to change the name of Samuel Faris Grasty to Samuel Farris Lovell.

Bill amended.

Read a third time, and passed.

H. B. 34—An act to change the name of James Valentine to James Fares.

Read third time and passed.

H. J. R. 6—Relative to compiling the laws.

Read a third time.

The ayes and noes were called upon its passage.

Those who voted in the affirmative were:

Messrs. Montgomery, Wallace and Smith—3.

Those voting in the negative were:

Messrs. Cranney, Foster, Shaw, Stine, Wood and Mr. President—6.

The Resolution was lost.

H. J. R. 7—Relative to a Joint Convention to visit the Insane Asylum.

Insert the word "penitentiary" after the word "asylum."

Amendment lost.

H. M. 4—Praying Congress to confer certain powers upon the Commissioners of Thurston county.

Read first and second times.

Rules suspended, read third time and passed.

H. M. 5—Praying Congress to grant to Olympia the mud-flats in front of the town.

Read first and second times.

Referred to Committee on Commerce.

H. M. 6—In relation to the Seattle and Walla Wall Railroad Company.

Read first and second times.

Referred to Committee on Commerce.

H. B. 1—Relative to the rights of married persons.

Read first and second times.

Referred to Committee on Judiciary.

H. B. 29—Relative to declaring certain streams and sloughs navigable and as public highways.

Read first and second times.

Referred to Committee on Commerce.

H. B. 27—An act providing for the establishment of a Territorial road.

Read first and second times.

Referred to Walla Walla delegation.

H. S. B. 37—Designating the name of an orphan girl adopted by Cyril Ward and wife.

Read first and second times.

Rules suspended, read third time and passed.

Mr. Wallace, on leave, introduced,

C. B. 9—An act to authorize the use of streams for driving logs, etc.

Read first and second times.

Referred to Committee on Commerce.

On motion of Mr. Cranney,

The Council adjourned until Monday at 11 o'clock A. M.

BERIAH BROWN,
Chief Clerk.

COUNCIL CHAMBER,
October 20, 1873.

Council met pursuant to adjournment.

Mr. President in the chair.

The roll being called the following members answered to their names:

Messrs. Cranney, Foster, Montgomery, Shaw, Smith, Stine, Wallace and Wood.

Prayer by the Chaplain.

Journal of the eighteenth read and approved.

Mr. Shaw, from Committee on Enrollment, reported as correctly enrolled:

C. B. 5—An act to change the boundaries of Clarke county.

C. B. 6—An act to repeal an act entitled an act regulating taxes on railroads.

C. B. 7—An act to authorize the county commissioners of Clarke county, Washington Territory, to use any funds of said county treasury not otherwise appropriated, for repairing and building of bridges on county roads authorized to be repaired or

built by said county commissioners, or that may already have been so repaired or built.

Mr. Stine, from Select Committee, reported

H. B. 27—An act providing for the establishment of a Territorial road.

And recommended its passage.

Mr. Shaw, from Committee on Incorporations, reported

H. B. 4—Relative to incorporating Kalama Lodge No. 17, F. & A. M.

With amendments.

Mr. Foster moved,

To reconsider the vote by which

H. J. R. 8—Relative to compiling the laws.

Was rejected.

The ayes and noes were called.

Those who voted in the affirmative were:

Messrs. Foster, Montgomery, Smith, and Wallace-4.

Those who voted in the negative were:

Messrs. Cronney, Shaw, Stine, Wood and Mr. President-5.

On motion of Mr. Stine,

Leave of absence was granted to Mr. Montgomery for four days.

H. B. 27—An act to confirm the establishment of a Territorial road.

Read third time and passed.

H. B. 4—An act to incorporate Kalama Lodge No. 17, F. & A. M.

On motion of Mr. Stine,

Laid on the table.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
October 20, 1873.

MR. PRESIDENT:

I am instructed by the House to inform the Council of the

introduction of the following bills:

H. B. 50—An act defining the jurisdiction and practice in the Probate Courts of W. T.

H. B. 51—An act to legalize the acknowledgments taken before Commissioners of Deeds for W. T., between January 1, 1872 and January 1, 1873.

H. B. 52—An act to amend an act establishing a common school system in W. T.

H. B. 53—An act establishing a common school system in W. T.

Also the passing of

H. M. 7—Relative to establishing a land office at Port Townsend, W. T.

H. M. 8—Relative to carrying the U. S. mails between Port Gamble and Seabeck, and Seabeck and Union City, by steam vessels.

And herewith transmit the same.

C. W. FRUSH,

Chief Clerk.

H. M. 8—Relative to establishing a land office at Port Townsend, W. T

Read first and second times.

Rules suspended, read third time and passed.

H. M. 7—In relation to carrying the mails between Port Gamble, Seabeck and Union City.

Read first and second times.

Rules suspended, read third time and passed.

On motion of Mr. McLane,

[Mr. Wallace in the chair.]

Messrs. Wallace, and Montgomery were appointed on the Joint Committee to visit the Insane Asylum on the part of the Council.

On motion of Mr. Smith,

Council adjourned till to-morrow at 11 o'clock A. M.

BERIAH BROWN,
Chief Clerk.

COUNCIL CHAMBER,
October 21, 1873.

Council met pursuant to adjournment.

Mr. President in the chair.

On roll being called the following members answered to their names:

Messrs. Cranney, Foster, Shaw, Smith, Stine, Wallace and Wood.

Prayer by the Chaplain.

The Journal of yesterday was read and approved.

A message from the Governor was received, announcing that he had approved:

An act to change the name of Laura Lamb to Laura Tripp, and make her heir-at-law of Abel G. Tripp and Ruth Tripp, of Vaucouver, W. T.

Mr. Wallace presented a petition from J. T. Hicklin, asking a change in the boundary line between Thurston and Chehalis counties.

Read and referred to Committee on Counties.

Mr. Cranney, from Committee on Counties, reported

C. B. 8—An act for the relief of Clarke county.

With the recommendation that it do not pass.

Mr. Smith dissenting.

Mr. Wood, from Committee on Commerce, reported

H. M. 1—Relative to the removal of obstructions in the Skagit and Nootsack rivers.

With amendments, and recommending its passage.

Also,

H. M. 6—Relative to Seattle and Walla Walla Railroad and Transportation Company.

Recommending its passage.

Also,

H. B. 29—An act to declare certain streams and sloughs in Washington Territory public highways.

Recommending its passage.

Mr. McLane [Mr. Wallace in the chair.] introduced,

C. B. 10—An act prescribing an oath to members of the Legislative Assembly, and county officers.

Also,

C. J. R. 3—Relative to Code Commissioners.

Read first and second times.

Referred to Committee on Ways and Means.

H. M. 1—Relative to the removal of obstructions from the Skagit and Nootsack rivers.

Amendments adopted.

Read third time and passed.

C. B. 9—To authorize the use of streams, and to remove or pass obstructions for logging purposes.

Read third time and passed.

H. M. 6—Relative to Seattle and W. W. R. R. and Transportation Co.

Read third time and passed.

H. B. 29—An act to declare all streams and sloughs in Snohomish county public highways.

Read third time and passed.

C. B. 8—An act for the relief of Clarke county.

Made Special Order for next Saturday at 2 o'clock P. M.

On motion of Mr. Cranney,

A committee of three on the Governor's Message was appointed.

The President appointed as said committee,

Messrs. Cranney, Wallace and Shaw.

The following message was received from the House :-

HOUSE OF REPRESENTATIVES,
October 21, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the Speaker has signed the following:

H. B. 34—An act to change the name of James Valentine to James Fares.

H. B. 40—An act constituting A. L. Porter guardian of Mary L. Weller.

H. B. 37—An act designating the name of an orphan girl heretofore adopted by Cyril Ward and wife.

H. M. 4—Relative to conferring certain powers on the county commissioners of Thurston county.

H. J. R. 7—Relative to a Joint Committee to visit the Insane Asylum.

And herewith transmit the same for the signature of the President of the Council.

C. W. FRUSH,
Chief Clerk.

The President announced the signing of the following bills:

H. B. 34—An act to change the name of James Valentine to James Fares.

H. B. 40—An act constituting A. L. Porter, of Pierce county, the guardian of Mary L. Weller, a minor, and declaring her his heir-at-law.

H. B. 37—An act confirming a name upon an orphan girl,

and making her an heir-at-law of Cyril Ward and Susan Ward his wife.

H. M. 4—Relative to conferring certain powers on the County Commissioners of Thurston county.

H. J. R. 7—Relative to a Joint Committee to visit the Insane Asylum.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
October 21, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the Speaker has appointed, on the part of the House,

Messrs. Bush, Hovey and Cook, Committee, in accordance with,

H. J. R. 7—Relative to visiting the Insane Asylum.

C. W. FRUSH,
Chief Clerk.

On motion of Mr. Wallace,

The Council adjourned until 11 A.M. to-morrow.

BERIAH BROWN,
Chief Clerk.

COUNCIL CHAMBER,
October 22, 1873.

Council met pursuant to adjournment.

Mr. President in the Chair.

Roll being called the following members answered to their names:

Messrs. Foster, Shaw, Stine, Smith, Cranney, Wallace and Wood.

Prayer by the Chaplain.

The Journal of yesterday read and approved.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES,
October 21 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the introduction of the following:

H. B. 54—An act to amend an act entitled an act to incorporate the city of Kalama.

H. B. 55—An act relative to mortgages and bills of sale of personal property.

H. B. 56—For the relief of the Sheriff of Thurston county.

H. B. 57—An act relative to irrigation and water rights in the county of Yakima.

H. B. 58—An act relative to the taking up of drift sawlogs and other timber of value.

H. B. 59—An act in relation to Judges of the District and Probate Courts, practicing as attorneys-at-law.

H. B. 60—An act in relation to liens of mechanics and others for labor and material.

H. B. 61—An act to regulate the interest of money.

H. B. 62—An act in relation to town plats.

H. B. 63—An act relative to the vacation of town plats.

H. B. 64—An act providing for the assessing and collecting of county and Territorial revenue.

H. B. 65—An act relative to deeds.

H. B. 66—An act to fix the age of majority.

H. B. 67—An act to establish the amount and provide for the payment of costs in certain cases.

And also the passing of the following:

H. B. 55—Relative to mortgages and bills of sale.

H. B. 15.—An act to encourage the growth of oysters.

H. B. 48—An act for the relief of Wm. R. Downey.

H. B. 21—An act to confirm the title of the Seattle and W. W. R. R. & T. Co. to the tide lands in and about Elliott's Bay.

H. B. 8—An act to amend an act entitled an act to incorporate the city of Port Townsend, Jefferson county, W. T.

And herewith transmit the same.

CHARLES W. FRUSH,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
October 23, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the introduction and passing of the following:

H. B. 68—An act to create and organize the county of San Juan.

Also,

H. M. 9—Relative to extending the surveys over San Juan and other islands.

And herewith transmit the same.

C. W. FRUSH,
Chief Clerk.

Mr. Cranney, from the Select Committee on the Governor's Message, made the following report, which was adopted:

MR. PRESIDENT—

Your Special Committee, to whom was referred the Governor's Message, would respectfully herewith report back to the Council, and recommend as follows, viz:

So much of the Governor's Message as relates to San Juan and adjacent islands we would recommend to be referred to the Committee on Counties.

So much as refers to finance, we would recommend to be referred to the Committee on Ways and Means.

So much as relates to a Board of Equalization we would recommend to be referred to the Committee on Ways and Means.

That portion of the Message referring to agriculture we would recommend to be referred to the Committee on Agriculture.

So much as relates to the Penitentiary we would recommend to be referred to the Committee on Public Buildings and Grounds.

So much of the Governor's Message as relates to a Board of Emigration, we would recommend to be referred to the Committee on Federal Relations.

So much as relates to the Insane Asylum, we would recommend to be referred to the Committee on Public Buildings and Grounds.

So much as relates to a Centennial Exposition, we would recommend to be referred to the Committee on Federal Relations.

So much as relates to Education, we would recommend referred to the Committee on Education.

And so much as relates to the Territorial University, we would recommend referred to the Committee on Education.

All of which is respectfully submitted.

THOMAS CRANNEY,
Chairman.

H. B. 48—An act for the relief of William R. Downey.

Read first and second times.

Referred to Committee on Ways and Means.

H. B. 21—An act to confirm the title of the Seattle and Walla Walla Railroad and Transportation Company to certain tide lands.

Read first and second times.

Referred to Committee on Corporations.

H. B. 55—An act in relation to mortgages and bills of sale for personal property.

Read first and second times.

Referred to Committee on Judiciary.

H. B. 15—An act to encourage the cultivation of oysters.

Read first and second times.

Referred to Committee on Commerce.

H. B. 8—An act to amend an act entitled an act to incorporate the city of Port Townsend. Approved January 16, 1870. Amended Nov. 29, 1870.

Read first and second times.

Referred to Committee on Corporations.

H. M. 9—In relation to extending the public survey over San Juan and other islands.

Read first and second times.

Referred to Committee on Federal Relations.

H. B. 68—An act to create and organize the county of San Juan.

Read first and second times.

Referred to Committee on Counties.

On motion of Mr. Foster,

The Council adjourned until 11 o'clock to-morrow.

BERIAH BROWN,
Chief Clerk.

COUNCIL CHAMBER,
October 23, 1873.

Council met pursuant to adjournment.

Mr. President in the chair.

On calling the roll the following members answered to their names :

Messrs. Cranney, Foster, Shaw, Smith, Stine, Wallace and Wood.

Prayer by the Chaplain.

Journals of yesterday read and approved.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES,
October 22, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the introduction of the following bills:

H. B. 69—An act requiring County Commissioners to publish their proceedings.

H. B. 70—An act to locate a Territorial road.

H. B. 71—An act authorizing the purchase of Runquest shackle.

H. B. 72—An act to prevent fraudulent conveyances.

H. B. 73—An act authorizing District Courts to change names.

H. B. 74—An act for the relief of commission merchants, carriers, wharfingers, &c.

H. B. 75—An act relative to clerks of Supreme and District Courts.

H. B. 76—An act relative to unclaimed property, lost money, &c.

H. B. 77—An act to amend an act entitled an act to establish a common school system. Approved November 29, 1871.

H. B. 78—An act for the relief of James McAuliff.

And the House has concurred in Council amendments to

H. M. 1—Relative to removing the obstructions in the Skagit and Nootsack rivers.

H. B. 14—An act to change the name of Samuel Farris to that of Samuel Lovell.

C. W. FRUSH,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
October 22, 1873.

I am instructed by the House to inform the Council that the Speaker has signed the following:

H. M. 3—Relative to the free navigation of the Chehalis river.

H. M. 7—Relative to conveying the mails on routes Nos. 43,113, and 43,114.

H. M. 8—Relative to establishing a land office at Port Townsend.

And herewith transmit the same for the signature of the President of the Council.

C. W. FRUSH,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
October 23, 1873.

MR. PRESIDENT:

I am instructed by the House to inform the Council that the Speaker has signed the following:

H. B. 29—An act to declare certain streams and sloughs in Thurston county, public highways.

H. B. 14—An act to change the name of Samuel Farris Grasty to Samuel Farris Lovell.

H. M. 6—Relative to the Seattle and Walla Walla Railroad and Transportation Company.

H. M. 1—Relative to the removal of obstructions in the Skagit and Nootsack.

And herewith transmit the same for the signature of the President of the Council.

C. W. FRUSH,
Chief Clerk.

The Chair announced the signing of the following enrolled bills and memorials:

H. B. 29—An act to declare certain streams and sloughs in Washington Territory public highways.

H. B. 14—A bill to change the name of Samuel Farris Grasty to Samuel Farris Lovell.

H. M. 1—Relative to the removal of obstructions from the Skagit and Nootsak rivers.

H. M. 3—Relative to the free navigation of the Chehalis river.

H. M. 6—Relative to Seattle and WallaWalla Railroad and Transportation Company.

H. M. 7—Relative to carrying the mails on routes Nos. 43,-113 and 43,114.

H M. 8—Relative to the establishment of a land office at Port Townsend, W. T.

Mr. Smith, from Committee on Counties, reported:

H. B. 68—An act to create and organize the county of San Juan.

Recommending its passage.

Mr. Shaw introduced,

C. B. 11—An act relating to the Great Seal of Washington Territory.

Mr. Cranney reported,

C. J. R. 3—Relative to Code Commissioners.

With an amendment appropriating fifteen hundred dollars to pay expenses of Commission.

Report adopted.

Resolution re-referred to Committee on Ways and Means.

H. B. 68—An act to create and organize the county of San Juan, recommending its passage.

Bill read third time and passed.

C. B. 11—An act relating to the Great Seal of W. T.

Read first and second times.

Referred to Committee on Judiciary.

H. B. 57—Read first and second times.

Referred to Committee on Agriculture.

On motion of Mr. Smith,

BERIAH BROWN,
Chief Clerk.

COUNCIL CHAMBER,
October 24, 1873.

Council met pursuant to adjournment.

Mr. President in the Chair.

The roll being called, the following members answered to their names.

Messrs. Cranney, Foster, Shaw, Smith, Stine, Wallace and Wood.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Wallace, from Committee on Judiciary, reported

C. B. 4—An act to change the name of Thomas John Harrington.

With amendment, which was concurred in by the Council.

Also,

C. B. 10—An act prescribing an oath to the members of the Legislative Assembly.

With an amendment, which was concurred in by the Council.

Mr. Shaw, from Committee on Corporations, reported

H. B. 8—An act to amend an act entitled an act to incorporate the city of Port Townsend, W. T.

With an amendment, that the title of the bill be changed to:

An act to incorporate the town of Port Townsend.

And recommending its passage.

Mr. Stine, from Committee on Federal Relations, reported

C. S. H. M. 9—In relation to extending the surveys over San Juan and other islands.

Which was adopted.

Mr. Wood, from Committee on Commerce, reported

H. B. 15—An act to encourage the cultivation of oysters.

With amendments.

Mr. Wallace introduced,

C. M. 4—For the relief of William Packwood.

And,

C. B. 12—An act to protect the people of Washington Territory from Empiricism.

Mr. Wood introduced,

C. M. 5—Relative to carrying the mails on route 43,116, between Port Townsend and Port Angeles, by steamboat.

C. M. 4—For the relief of Wm. Packwood.

Read first and second times.

Rules suspended, read third time and passed.

C. M. 5—Relative to carrying the mails on route No. 43,116 between Port Townsend and Port Angeles, by steamboat.

Read first and second times.

Rules suspended, read third time and passed.

C. B. 12—An act to protect the people of Washington Territory from Empiricism.

Read first and second times.

Referred to Committee on Commerce.

C. B. 10—An act prescribing an oath to members of the Legislative Assembly, and county officers.

Read a third time.

Laid upon the table.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES,
October 23, 1873.

MR. PRESIDENT:

I am instructed by the House to inform the Council of the introduction of the following bills:

H. B. 79—An act relative to hogs running at large.

H. B. 80—An act relative to crimes—punishment and proceedings in criminal cases.

Also the passing of

C. B. 6—An act to repeal an act entitled an act regulating taxes on railroads.

C. W. FRUSH,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
October 24, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the introduction of the following:

H. B. 81—An act relative to collecting debts.

And also the passing of,

C. B. 7—An act to authorize the county commissioners of Clarke county, Washington Territory, to use any funds of said county treasury, not otherwise appropriated, for repairing and building of bridges on county roads authorized to be repaired or built by said county commissioners, or that may already have been so repaired or built.

H. B. 70—An act to relocate a Territorial road.

C. W. FRUSH,
Chief Clerk.

C. B. 4—An act to change the name of Thomas John Harrington.

Amended, read third time and passed.

H. M. 9—In relation to extending the surveys over San Juan and other islands.

Read first and second times.

Rules suspended, read third time and passed.

H. B. 15—An act relative to encouraging the cultivation of oysters.

Amended.

Read third time and passed.

H. B. 21—An act to confirm the title of the Seattle and W. W. R. R. Co. to certain tide lands.

Amended, read third time and passed.

H. B. 8—Amending an act incorporating the city of Port Townsend.

Amended, read third time and passed.

H. B. 57—Relative to irrigation and water rights in the county of Yakima.

Read third time and passed.

H. B. 70—An act relating to the location of a Territorial road.

Read first and second times.

Read and referred to Committee on Roads and Highways.

On motion of Mr. Shaw,

Council adjourned till to-morrow at 11 o'clock A. M.

BERIAH BROWN,
Chief Clerk.

COUNCIL CHAMBER,
October 25, 1873.

Council met pursuant to adjournment.

Mr. President in the chair.

On roll being called the following members answered to their names:

Messrs. Cranney, Foster, Montgomery, Shaw, Smith, Stine, Wallace and Wood.

Prayer by the Chaplain.

The Journal of yesterday was read and approved.

Mr. Foster presented a memorial from the Washington Territory Educational Asssociation.

Read, and referred to the Committee on Education.

Mr. Wallace from the Judiciary Committee, reported

C. B. 11—An act relating to the Great Seal of Washington Territory.

Recommending its passage.

Mr. Smith, from the Committee on Roads, reported

H. B. 70—An act to locate a Territorial road.

Recommending its passage.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES,
October 24, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the introduction of the following bills:

H. B. 82—An act relative to notaries public.

And,

H. B. 83—An act to provide for the election of county commissioners, and defining their duties.

C. W. FRUSH,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
October 25, 1873.

MR. PRESIDENT:

I am instructed by the House to inform the Council that the House refuse to concur in Council amendments to,

H. S. B. 33—An act entitled an act amendatory of an act entitled an act to subdivide the Judicial districts of Washington Territory, and providing places for holding Courts therein. Approved Nov. 28, 1871.

And request the appointment of a Commitee of Conference thereon.

And also the introduction of the following:

H. B. 84—An act to repeal an act entitled an act to encourage shipbuilding in W. T.

H. B. 85—An act to locate a Territorial road from Klickitat prairie.

H. B. 86—An act for the relief of Henry Miles.

H. B. 87—An act for the relief of James Longmire.

C. W. FRUSH,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
October 25, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the passage of

H. B. 84—An act to repeal an act entitled an act to encourage shipbuilding in W. T.

Also,

H. J. R. 9—Relative to visiting the Territorial University at Seattle.

And ask your concurrence thereto.

C. W. FRUSH,
Chief Clerk.

Mr. Shaw introduced,

C. B. 13—An act concerning fences.

H. B. 70—To re-locate a road.

Read third time and passed.

C. B. 11—An act relating to the Great Seal of W. T.

Bill read third time and passed.

C. B. 13—An act concerning fences.

Read first and second times.

Referred to Committee on Agriculture.

C. B. 9—To authorize the use of streams, and to remove or pass obstructions for logging purposes.

Reported from the House with an amendment.

Amendment concurred in.

H. J. R. 9—Relative to visiting the Territorial University

Read first and second times.

Rules suspended, read third time and passed.

H. B. 84—An act to repeal an act entitled an act to encourage shipbuilding in W. T.

Read first and second times.

Referred to Committee on Commerce.

On motion of Mr. Cranney,

C. B. 12—An act to protect the people of W. T. from Empiricism.

Was ordered printed.

C. B. 8—An act for the relief of Clarke county.

Was taken up, put upon its passage, and decided in the negative.

On motion of Mr. Cranney,

The Council adjourned until 11 o'clock on Monday.

BERIAH BROWN,
Chief Clerk.

COUNCIL CHAMBER,
October 27, 1873.

Council met pursuant to adjournment.

Mr. President in the Chair.

The roll being called, the following members answered to their names.

Messrs. Cranney, Foster, Montgomery, Shaw, Smith, Stine and Wallace.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Wallace, from Committee on Judiciary, reported

H. B. 1—Relative to the rights of married persons.

Recommending its passage.

Mr. Smith, from Committee on Counties, reported:

C. B. 14—An act to amend an act entitled an act defining county lines in the Territory of Washington.

On motion of Mr. Cranney,

Mr. Wood was granted leave of absence for one week.

Council refused to appoint a committee of conference on

H. S. B. 33—Relative to the Judicial Districts of Washington Territory.

The President announced the appointment of the following

members of the Joint Committee on the part of the Council, to visit the Territorial University.

Messrs. Cranney, Smith and Stine.

Mr. Montgomery, from Select Committee on

C. J. R. 3—Relative to Code Commissioners.

Reported, recommending that the object of the Resolution be embodied in a bill.

Mr. Montgomery introduced,

C. J. R. 4—Relative to the Legislative Assembly taking a recess.

Read first and second times.

Rules suspended, read third time, and the ayes and noes were called.

Those who voted in the affirmative were:

Messrs. Cranney, Foster, Montgomery, Shaw, Smith, Stine and Mr. President—7.

Those who voted in the negative were:
Mr. Wallace—1.

So the resolution was passed.

C. B. 14—An act in relation to boundary lines in Washington Territory.

Read first and second times.

Referred to Committee on Counties.

Message from the Council as follows :

HOUSE OF REPRESENTATIVES,
October 25, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the introduction of the following:

H. J. M. 10—Relative to the land grant to the N.P.R.R.Co. north of Tacoma.

Also the passing of

H. B. 71—An act authorizing the purchase of Runquest shackle.

H. B. 20—An act to provide for the formation of corporations.

With amendments.

H. S. B. 81—An act relating to collecting debts in certain cases.

Also,

C. S. H. M. 9—Relative to extending the surveys over San Juan and other islands.

C. M. 5—Relative to carrying the mails on route No. 43,116, between Port Townsend and Port Angeles.

C. M. 6—Relative to the relief of William Packwood.

C. B. 4—An act to change the name of Thomas J. Harrington.

And also of the concurrence in Council amendments to the following:

H. B. 21—An act to confirm the title of the Seattle and Walla Walla Railroad and Transportation Company to certain tide lands.

H. B. 8—An act to amend an act entitled an act to incorporate the city of Port Townsend, W. T.

And refused to concur in Council amendment No. 2 to

H. B. 15—An act relative to the cultivation of oysters.

And also that the Speaker has signed the following:

H. B 27—An act providing for the establishment of a Territorial road.

And,

C. B. 6—An act to repeal an act entitled an act regulating taxes on railroads.

And also the Speaker has signed:

C. B. 7—An act to authorize the county commissioners of Clarke county, Washington Territory, to use any funds of said county treasury not otherwise appropriated, for repairing and

building of bridges on county roads authorized to be repaired or built.

C. W. FRUSH,
Chief Clerk.

Mr. Smith presented a petition, which was referred to Committee on Federal Relations, with instructions to report by Memorial.

The President announced the signing of the following:

C. B. 6—An act to repeal an act entitled an act regulating taxes on railroads.

C. B. 7—An act authorizing county commissioners of Clarke county to appropriate funds for building bridges.

H. B. 27—An act to confirm the establishment of a Territorial road.

H. B. 1—An act repealing an act relating to property as affected by marriage.

Read third time.

Mr. McLane, (Mr. Wallace in the chair,) moved,

To lay the bill on the table.

Lost.

Bill passed.

H. B. 20—An act to provide for the formation of corporations.

Read first and second times.

Referred to Committee on Corporations.

H. B. 15.—An act to encourage the growth of oysters.

Reported from the House, non-concurring in Council amendment.

On motion of Mr. Smith,

The Council receded from the amendment rejected by the House.

H. B. 71—An act authorizing the purchase of the Runquest shackle.

Read first and second times.

Referred to Committee on Ways and Means.

H. S. B. 81—An act in relation to the collection of debts in certain cases.

Read first and second times.

Referred to Committee on Judiciary.

On motion of Mr. McLane, [Mr. Wallace in the chair.]

The Clerk was instructed to inform the House that the Council is now prepared to receive the House in joint convention for the election of Territorial officers.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
October 27, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House is now ready to receive the Council in Joint Convention.

C. W. FRUSH,
Chief Clerk.

JOINT CONVENTION.

HOUSE OF REPRESENTATIVES,
October 27, 1873.

Pursuant to an act of the Legislative Assembly, the two branches of the Legislative Assembly met in Joint Convention in the Hall of the House of Representatives, at 12 o'clock M. on Monday, the 27th day of October, 1873.

The President of the Council in the Chair.

Roll being called the following members answered to their names:

COUNCIL.

Messrs. Foster, Shaw, Stine, Smith, Cranney, Wallace and Montgomery.

All present but Mr. Wood.

HOUSE.

Messrs. Abbott, Bush, Bryant, Brazee, Clark, (of Clarke) Cook, Cline, Crockett, Clymer, Clark, (of Pierce) Eldridge, Favorite, Gile, Gosnell, Harriman, Henry, Hodges, Hovey, Judson, Kuhn, Lacy, Moore, Ping, Russel, Rodgers, Van Vleet, Ward, Yantis, Mr. Speaker.

All present.

On motion of Mr. Van Vleet,

Joint Convention adjourned till to-morrow at 12 M.

The Council having returned to their chamber.

On motion of Mr. Wallace,

The Council adjourned until 11 o'clock to-morrow.

BERIAH BROWN,
Chief Clerk.

COUNCIL CHAMBER,
October 28, 1873.

Council met pursuant to adjournment.

Mr. President in the Chair.

The roll being called, the following members answered to their names.

Messrs. Cranney, Foster, Montgomery, Shaw, Smith, Stine and Wallace.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Cranney introduced,

C. M. 6—For relief of John M. Izett.

Mr. Montgomery, from Committee on Ways and Means, reported,

H. B. 48—An act for the relief of Wm. R. Downey.

With the recommendation that it do pass.

Mr. Smith, from Committee on Counties, reported

C. B. 14—An act to amend an act entitled an act defining county lines in the Territory of Washington.

Recommending its passage.

Mr. Foster, from Committee on Agriculture, reported

C. B. 13—An act concerning fences.

Recommending its passage.

Mr. Wallace, from Committee on Judiciary, reported

H. S. B. 81—An act relative to collecting debts.

Recommending that it do not pass.

Mr. Wallace dissenting.

Read a third time, and the ayes and noes being called:

Those who voted in the affirmative were:

Messrs. Cranney, Smith, Wallace and Mr. President—4.

Those who voted in the negative were:

Messrs. Foster, Montgomery, Shaw, and Stine—4.

The bill was lost.

Mr. Wallace from the Select Committee, reported as follows:

MR. PRESIDENT:

Your Joint Select Committee of the Legislative Assembly,

appointed under the joint resolution relative to the Insane Asylum, beg leave to report that they have discharged the duty imposed upon them, by visiting said institution, and making a thorough inspection of the same. Your Committee find that it is kept in a very satisfactory manner, as the patients appear to be kept in a clean and healthy condition. Your Committee would recommend the propriety of providing more rooms by moving one of the large buildings adjacent to the Asylum, and owned by the Territory, and joining the same onto the Insane Asylum. And for detailed information they respectfully refer to the report of the contractor in charge.

Respectfully submitted,
W. H. WALLACE,
Chairman on the part of the Council.

On motion of Mr Cranney,

Report adopted.

Mr. Stine introduced,

C. B. 16—An act submitting to the voters of Washington Territory, at the next general election, a proposition for calling a convention to form a State Constitution, and to apply for admission of the state of Washington into the Union.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES,
October 28, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the Speaker has signed the following:

C. B. 4—An act to change the name of Thomas John Harrington.

C. M. 4—For the relief of William Packwood.

C. S. H. M. 9—In relation to extending the surveys over San Juan and other islands.

For the signature of the President. And also,

H. J. R. 9—Relative to visiting the Territorial University

H. B. 70—To re-locate a road.

And,

H. B. 68—An act to create and organize the county of San Juan.

And herewith transmit the same.

C. W. FRUSH,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
October 28, 1873.

I am instructed by the House to inform the Council of the introduction of the following bills:

H. B. 90—An act authorizing King and other counties to vote aid to the Seattle and Walla Walla Railroad and Transportation Company.

H. B. 91—An act relative to ballast in Pacific county.

H. B. 92—An act to amend an act entitled an act to incorporate the city of Walla Walla.

H. B. 93—An act relative to county assessors.

H. B. 94—An act relative to Territorial Treasurer.

H. B. 95—An act relative to sheriffs.

H. B. 96—An act relative to Territorial Auditor.

H. B. 97—An act relative to coroners.

H. B. 98—An act relative to county surveyors.

H. B. 99—An act to amend an act entitled an act relating to the support of the poor.

H. B. 100—An act regulating taxes on railroads.

Also the passing of the following:

H. S. B. 78—An act for the relief of James McAuliff.

H. B. 85—An act to locate a Territorial road from Klickitat prairie.

And herewith transmit the same.

And also the introduction of

H. M. 12—Relative to increase mail service in route No. ———.

C. W. FRUSH,
Chief Clerk.

C. B. 13—An act concerning fences.

Read third time and passed.

On motion of Mr. McLane, [Mr. Wallace in the chair.]

The Council resolved itself into a Committee of the Whole on

H. B. 48—An act for the relief of William Downey.

Mr. Shaw in the chair.

After some time spent therein, the Committee rose, reported progress, and asked leave to sit again.

On motion of Mr. Stine,

The Clerk was instructed to inform the House that the Council is now ready to meet the House in Joint Convention.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
October 28, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House is now ready to receive the Council in Joint Session, for the purpose of the election of Territorial officers, pursuant to adjournment of yesterday's Joint Convention.

C. W. FRUSH,
Chief Clerk.

JOINT CONVENTION.

HOUSE OF REPRESENTATIVES,
October 28, 1873.

Convention met pursuant to adjournment.

The President of the Council in the chair.

On calling the roll the following members answered to their names:

COUNCIL.

Messrs. Cranney, Foster, Montgomery, Shaw, Smith, Stine, and Wallace.

HOUSE OF REPRESENTATIVES.

Messrs. Abbott, Bush, Brazee, Burke, Clarke, (of Clarke,) Cook, Cline, Crockett, Clymer, Clark, (of Pierce,) Eldridge, Favorite, Gile, Gosnell, Harriman, Henry, Hodges, Hovey, Judson, Kuhn, Lacy, Moore, Ping, Russell, Rodgers, Van Vleet, Ward, Yantis and Mr. Speaker.

The President announced the first business in order to be the election of a Territorial Auditor.

Mr. Clark, (of Pierce,) of the House, nominated,

John Miller Murphy.

Mr. Wallace, of the Council, nominated,

B. B. Tuttle.

Those voting for Mr. Murphy were:

COUNCIL.

Messrs. Foster, Montgomery, Shaw, Stine and Mr. President–5.

HOUSE.

Messrs. Abbott, Bush, Brazee, Cook, Cline, Crockett, Clark, (of Pierce,) Gosnell, Harriman, Henry, Hodges, Judson, Lacy, Ping, Russel, Rodgers, Van Vleet, Ward, Yantis and Mr. Speaker–20.

Those voting for Mr. Tuttle were:

COUNCIL.

Messrs. Cranney, Smith and Wallace–3.

HOUSE.

Messrs. Burke, Clarke, (of Clarke,) Clymer, Eldridge, Favorite, Gile, Hovey, Kuhn and Moore–9.

John Miller Murphy having received a majority of all the votes cast, was declared duly elected Territorial Auditor for the ensuing two years.

The Convention next proceeded to the election of a Territorial Treasurer.

Mr. Clark, (of Pierce,) of the House, nominated,

E. T. Gunn.

Mr. Moore, of the House, nominated,

J. H. Munson.

Those voting for Mr. Gunn were:

COUNCIL.

Messrs. Foster, Montgomery, Shaw, Stine and Mr. President–5.

HOUSE.

Messrs. Abbott, Bush, Brazee, Cook, Cline, Crockett, Clark, (of Pierce,) Gosnell, Harriman, Henry, Hodges, Judson, Kuhn, Lacy, Ping, Russell, Rodgers, Van Vleet, Ward, Yantis and Mr. Speaker–21.

Those voting for Mr. Munson were:

COUNCIL.

Messrs. Cranney, Smith and Wallace–3.

HOUSE.

Messrs. Burke, Clarke, (of Clarke,) Clymer, Eldridge, Favorite, Gile, Hovey and Moore–8.

E. T. Gunn having received a majority of all the votes cast was declared duly elected Territorial Treasurer for the ensuing two years.

The Convention then proceeded to the election of Territorial Librarian.

Mr. Judson, of the House, nominated,

B. F. Yantis.

Mr. Clymer, of the House, nominated,

I. V. Mossman.

Those who voted for Mr. Yantis were:

COUNCIL.

Messrs Foster, Montgomery, Shaw, Stine and Mr. President–5.

HOUSE.

Messrs. Abbott, Bush, Brazee, Cook, Cline, Crockett, Clark, (of Pierce,) Eldridge, Gosnell, Harriman, Henry, Hodges, Judson, Kuhn, Lacy, Ping, Russell, Rodgers, Van Vleet, Ward and Mr. Speaker–21.

Those who voted for Mr. Mossman were:

COUNCIL.

Messrs. Cranney, Smith and Wallace–3.

HOUSE.

Messrs. Burke, Clarke, (of Clarke,) Clymer, Favorite, Gile Hovey and Moore–7.

B. F. Yantis having received a majority of all the votes cast, was declared duly elected Librarian for the ensuing two years.

The Convention then proceeded to the election of a Superintendent of Schools.

Mr. Clarke, (of Pierce,) of the House, nominated,

J. P. Judson.

Mr. Moore, of the House, nominated,

J. R. Thompson.

Those voting for Mr. Judson were:

COUNCIL.

Messrs. Foster, Montgomery, Shaw, Stine and Mr. President–5.

HOUSE.

Messrs. Abbott, Bush, Brazee, Burke, Cook, Cline, Crockett, Clarke, (of Pierce,) Gosnell, Harriman, Henry, Hodges, Judson, Kuhn, Lacy, Ping, Russell, Rodgers, Van Vleet, Ward, Yantis and Mr. Speaker–22.

Those voting for Mr. Thompson were:

COUNCIL.

Messrs. Smith and Wallace–2.

HOUSE.

Messrs. Clark, (of Clarke,) Clymer, Eldridge, Favorite, Gile, Hovey and Moore–7.

J. P. Judson, having received a majority of all the votes cast, was declared elected Superintendent of Schools for the next ensuing two years.

The Convention then proceeded to the election of five Regents of the Territorial University.

Mr. Clark, (of Pierce,) of the House, nominated,

E: M. Smithers, H. A. Atkins, J. T. Jordan, A. A. Denny and Beriah Brown.

Mr. Clymer nominated,

T. D. Hinckley, in place of E. M. Smithers.

Those voting for Mr. Smithers were:

COUNCIL.

Messrs. Foster, Montgomery, Shaw, Stine and Mr. President–5.

HOUSE.

Messrs. Abbott, Bush, Brazee, Cook, Cline, Crockett, Clark, (of Pierce,) Gosnell, Harriman, Henry, Hodges, Judson, Kuhn, Lacy, Ping, Russell, Rodgers, Van Vleet, Ward, Yantis and Mr. President–21.

Those who voted for Mr. Hinckley were:

COUNCIL.

Messrs. Cranney, Smith and Wallace–3.

HOUSE.

Messrs. Burke, Clarke, (of Clarke,) Clymer, Eldridge, Favorite, Gile, Hovey and Moore–8.

E. M. Smithers having received a majority of the votes cast, was declared elected.

No other nominations being made, H. A. Atkins, J. T. Jor-

dan, A. A. Denny and Beriah Brown were declared by acclamation elected Regents of the Territorial University.

The Convention then proceeded to the election of Brigadier General.

Mr. Clark, (of Pierce,) of the House, nominated,
Edward Shiel.

Who was declared elected by acclamation Brigadier General.

The Convention then proceeded to the election of Adjutant General.

Mr. Henry. of the House, nominated Frank Guttenburg.

Who was declared by acclamation elected Adjutant General.

The Convention then proceeded to the election of Commissary General.

Mr. Clarke, (of Pierce,) of the House, nominated,
E. A. Wilson.

Declared by acclamation elected Commissary General.

The Convention then proceeded to the election of a Quartermaster General.

Mr. Hodges, of the House, nominated,
George F. Thomas.

Declared by acclamation elected Quartermaster General.

The business for which the Convention was called, having been finished, the Council returned to their chamber.

On motion of Mr. Wallace,

The Council adjourned until 2 o'clock P. M.

BERIAH BROWN,
Chief Clerk.

AFTERNOON SESSION.

COUNCIL CHAMBER,
October 27, 1873.
2 O'CLOCK, P. M.

On motion of Mr. Wallace,

The Council resolved itself into a Committee of the Whole on,

H. B. 48—An act for the relief of William Downey.

Mr. Smith in the Chair.

After some time spent therein, the Committee rose, reported back the bill, recommending its passage.

Read third time, and the ayes and noes were called.

Those who voted in the affirmative were:

Messrs. Cranney, Foster, Montgomery, Smith, and Wallace–5.

Those who voted in the negative were:

Messrs. Shaw, Stine and Mr. President–3.

The bill passed.

C. M. 6—Relative to the relief of William Packwood.

Read first and second times.

Rules suspended, read third time, and passed.

C. B. 14—An act to amend an act entitled an act defining county lines in the Territory of Washington.

Read first and second times.

Referred to delegation from Thurston and Chehalis.

C. B. 15—An act for the relief of John M. Izett.

Read first and second times.

Referred to Committee on Corporations.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES,
October 27, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the introduction of the following:

H. M. 11—Relative to the Puyallup Indian Reservation.

H. B. 88—An act to amend an act to locate a Territorial road.

H. B. 89—An act to establish a Common School system for W. T.

And also the passing of,

H. B. 88—Relative to locating a Territorial road.

H. B. 23—An act for the relief of the Sheriff of Pierce county.

H. S. B. 79—An act relative to hogs running at large.

And also that the Speaker has appointed as the Joint Committee on part of the House, to visit the Territorial University, Messrs. Kuhn, Clymer, Crockett, Clark, (of Pierce,) and Harriman.

C. W. FRUSH,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
October 28, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the passage of

H. B. 47—An act relating to Justices of the Peace and proceedings in Justice's court.

C. W. FRUSH,
Chief Clerk.

The President announced the signing of the following:

C. B. 4—An act to change the name of Thomas John Harrington.

C. M. 4—For the relief of Wm. Packwood.

H.S.B. 9—An act to amend an act entitled an act to prevent hogs trespassing in certain counties. Approved December 2, 1869.

H. B. 68—An act to create and organize the county of San Juan.

H. B. 70—An act to relocate a Territorial road.

H. J. R. 9—Relative to visiting the Territorial University at Seattle.

C. B. 16—An act submitting to the voters of Washington Territory the question of calling a convention for the purpose of framing a State Constitution, and asking the admission of the State of Washington into the Union.

Read first and second times.

Rules suspended, read third time and passed.

H. B. 47—Relating to Justices of the Peace, &c.

Read first and second times.

Referred to Committee on Judiciary.

H. S. B. 79—An act in relation to hogs, &c.

Read first and second times.

Referred to Committee on Counties.

H. B. 33—Relative to the Judicial districts of Washington Territory, and providing places for holding Courts therein. Approved Nov. 28, 1871.

Read first and second times.

Referred to Committee on Ways and Means.

H. B. 88—Amendment to an act to locate a Territorial road from the mouth of Mill Creek, on the Willapa River, Pacific county, to intersect with the military road running from Monticello to Olympia.

Read first and second times.

Referred to Committee on Roads.

H. B. 85—An act to locate a Territorial road from Klickitat prairie, in Lewis county, *via* Eden Prairie, to the twenty-

five-mile post on the Northern Pacific railroad in Cowlitz county.

Read first and second times.

Referred to Committee on Roads.

H. B. 78—An act for the relief of James McAuliff.

Read first and second times.

Referred to Committee on Ways and Means.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
October 28, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the passing of,

C. J. R. 4—Relative to the Legislative Assembly taking a recess.

Also,

H. B. 80—An act relative to crimes—punishment and proceedings in criminal cases.

And herewith transmit the same.

C. W. FRUSH,
Chief Clerk.

H. B. 80—Relative to crimes and punishments in criminal cases.

Read first and second times.

Referred to Committee on Judiciary.

On motion of Mr Foster,

Council adjourned till Monday, November 3, at 11 o'clock. A. M.

BERIAH BROWN,
Chief Clerk.

COUNCIL CHAMBER,
November 3, 1873.

Council met pursuant to adjournment.

Mr. President in the Chair.

The roll being called, the following members answered to their names.

Messrs. Cranney, Foster, Montgomery, Smith, Stine, Wallace and Wood.

Prayer by the Chaplain.

Journal of October 27th read and approved.

Mr. Stine, from Committee on Federal Relations, reported,

C. M. 7—Relative to settlers on railroad lands.

Mr. Wallace, from Committee on Judiciary, reported,

H. B. 47—An act relating to Justices of the Peace, and to their practice and jurisdiction.

Recommending its passage.

Mr. McLane introduced,

A petition asking that the right of suffrage be secured to women.

Mr. Smith, from Committee on Counties, reported,

H. B. 88—Amendment to an act to locate a Territorial road.

Recommending its passage.

Also,

H. B. 85—An act to locate a Territorial road.

Recommending its passage.

Mr. Smith. from Committee on Counties, reported,

H. S B. 78—An act in relation to hogs.

Recommending its passage.

Mr. Montgomery, from Committee on Ways and Means, reported,

H. B. 23—An act for the relief of the Sheriff of Pierce county.

With an amendment to strike out the words "and twenty" wherever they occur in the bill.

Also,

H. B. 78—An act for the relief of James McAuliff, late sheriff of Walla Walla county.

Recommending its passage.

Also,

H. B. 71—An act authorizing the purchase of Runquest shackle.

Recommending that it do not pass.

Petition for woman suffrage.

Read and referred to Committee on Judiciary.

Message from the Governor as follows:

TERRITORY OF WASHINGTON,
EXECUTIVE DEPARTMENT,
Olympia, W. T., November 3, 1873.

TO THE HONORABLE PRESIDENT,
Legislative Council, W. T.

I have the honor to inform the Council that I have this day approved and signed the following bills:

An act to change the name of Thomas J. Harriman.

An act to repeal an act entitled an act regulating taxes on railroads.

An act to authorize the county commissioners of Clarke county, Washington Territory, to use any funds of said county treasury, not otherwise appropriated, for repairing and building of bridges on county roads authorized to be repaired or built by said county commissioners, or that may already have been so repaired or built.

ELISHA P. FERRY,
Governor.

H. B. 88—Amendment to an act to locate a Territorial road.

Read third time and passed.

H. B. 85—An act to locate a Territorial road.

Bill read third time and passed.

H. B. 78—An act for the relief of James McAuliff.

Read third time and passed.

H. B. 23—An act for the relief of the Sheriff of Pierce county.

Amendment adopted, read a third time and passed.

H. B. 71—An act authorizing the purchase of the Runquest shackle.

Read third time and laid on the table till to-morrow.

H. B. 79—Relative to hogs.

Read third time.

Mr. McLane moved to amend by striking out Lewis and Stevens counties. Adopted.

Mr. Wallace moved to amend by inserting Chehalis county. Adopted.

The ayes and noes being called:

Those who voted in the affirmative were:

Messrs. Cranney, Foster, Smith, Stine and Wallace—5.

Those voting in the negative were:

Messrs. Montgomery, Wood and Mr. President—3.

Bill passed.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
November 3, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the introduction of the following bills:

H. B. 101—Relating to the sale of intoxicating liquors.

H. B. 102—An act relative to the incorporation of the city of Seattle.

H. B. 103—An act relative to discharging ballast.

H. B. 104—An act to change the name of Charles Wilson to Charles Henry Valpy.

H. B. 105—An act relating to the election of Justices of the Peace for the town of Olympia.

H. B. 106—An act relating to the incorporation of the town of Olympia.

H. B. 107—An act in relation to the incorportion of the city of Vancouver.

H. B. 108—An act relative to the election of county commissioners, &c.

H. B. 109—An act for the relief of James Seavey and others.

H. B. 110—An act substitute for H. B. 28 and 35, relative to costs and fees.

H. B. 111—An act for the relief of J. H. Munson.

H. B. 112—An act relative to elections, &c.

H. B. 113—An act for the relief of B. W. Griffin.

And the passing of

H. B. 104—An act to change the name of Charles Wilson to Charles Henry Valpy.

And also the Speaker has signed

C. M. 5—Relative to carrying the mails on route 43,116, between Port Townsend and Port Angeles, by steamboat.

C. W. FRUSH,
Chief Clerk.

C. M. 7—Relative to settlers on railroad lands.

Read first and second times.

Rules suspended, read third time and passed.

The Council resolved itself into a Committee of the Whole on,

H. B. 47—An act relating to Justices of the Peace and proceedings in Justice's courts.

Mr. Cranney in the chair.

After some time spent therein, the Committee rose, reported the same, recommending its passage.

Bill read a third time and passed.

On motion of Mr. Stine,

Council adjourned till this afternoon at 2 o'clock P. M.

BERIAH BROWN,
Chief Clerk.

AFTERNOON SESSION.

COUNCIL CHAMBER,
November 3, 1873.
2 O'CLOCK P. M.

Council met pursuant to adjournment.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
November 3, 1873.

MR. PRESIDENT:

I am instructed by the House to inform the Council that the Speaker has signed the following:

H. B. 8—An act relative to incorporating the city of Port Townsend.

H. B. 15—An act relative to the cultivation of oysters.

H. B. 1—An act to repeal an act defining the rights of persons and property as affected by marriage.

H. B. 21—An act to confirm the title of the Seattle and W. W. R. R. Co. to certain tide lands.

For the signature of the President of the Council.

And also the introduction of the following:

H. B. 114—An act for the relief of I. V. Mossman.

H. B. 115—An act curing defective acknowledgments.

And also the passage of,

H. B. 115—An act curing defective acknowledgements.

C. W. FRUSH,
Chief Clerk.

The President announced the signing of the following:

H. B. 1—Relative to the rights of married persons.

H. B. 8—Amending an act incorporating the city of Port Townsend.

H. B. 15—An act relative to encouraging the cultivation of oysters.

H. B. 21—An act to confirm the title of the Seattle and Walla Walla Railroad and Transportation Company to certain tide lands.

C. M. 5—Relative to carrying the mails on route 43,116, between Port Townsend and Port Angeles, by steamboat.

Mr. Wallace, from Select Committee, reported,

C. B. 14—An act to amend an act entitled an act defining county lines in the Territory of Washington.

Recommending its passage.

H. S. B. 49—In relation to roads, fences, bridges, &c.

Read first and second times.

Referred to Committee on Roads and Highways.

H. B. 115—An act corrective of defective acknowledgements.

Read first and second times.

Referre to Committee on Judiciary.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES,
November 3, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the passage of

H. B. 89—An act to establish a Common School system for W. T.

H. B. 82—An act relative to notaries public.

C. W. FRUSH,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
October 28, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the passage of

H. B. 49—Relative to bridges, ferries, &c.

And herewith transmit the same.

C. W. FRUSH,
Chief Clerk.

H. B. 104—An act to change the name of Charles Wilson to Charles Henry Valpy.

Read first and second times.

Rules suspended, read third time and passed.

H. B. 82—An act creating the office of Notary Public.

Read first and second times.

Referred to Committee on Judiciary.

H. B. 89—An act establishing a common school system for W. T.

Read first and second times.

Referred to the Committee on Education.

On motion of Mr. Foster,

The Council adjourned until to-morrow at 11 o'clock A. M.

BERIAH BROWN,
Chief Clerk.

COUNCIL CHAMBER,
November 5, 1873.

Council met pursuant to adjournment.

Mr. President in the chair.

On roll being called the following members answered to their names:

Messrs. Cranney, Foster, Montgomery, Shaw, Smith, Stine, Wallace and Wood.

Prayer by the Rev. Mr. Stewart.

The Journal of yesterday was read and approved.

Mr. Wallace presented a petition of Campbell and others, for an act declaring Black River a public highway.

Read and referred to Committee on Roads.

Mr. Montgomery presented a petition for an appropriation to aid in the construction of a bridge across the Spokane River, and introduced,

C. B. 18—An act appropriating one thousand dollars for the construction of a bridge across the Spokane River, in Stevens county.

Mr. Montgomery introduced,

C. B. 17—An act to prevent extortion and unjust discrimination in the rates charged for the transportation of passengers and freight on railroads in this Territory.

Mr. Cranney, from Committee on Education, reported as follows:

MR. PRESIDENT—

Your committee, to whom was referred H. B. 89, have had the same under consideration, and I am instructed to report back the same, with the following amendments:

Chap. 2, Sec. 2—Strike out "not less than three, nor more than six mills," and insert in lieu thereof, "not more than four mills."

Chap. 5, Sec. 4—Strike out "fifteen," and insert "ten" in lieu thereof.

And herewith return the same with the amendments, and recommend the passage thereof.

THOMAS CRANNEY,
Chairman.

C. B. 17—An act in relation to railroads.

Read first and second times.

Referred to Committee on Agriculture, with instructions to print.

H. B. 89—An act establishing a common school system.

Read first and second times.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
November 3, 1873.

MR. PRESIDENT:

I am instructed by the House to inform the Council that the House has passed:

C. B. 11—An act relating to the great seal of the Territory.

C. M. 6—For the relief of John M. Izett.

C. M. 7—Relative to railroad lands.

H. M. 12—Relative to increased mail service in route No. 43,108.

H. B. 50—An act defining the jurisdiction and practice in the Probate Courts of W. T.

And that the House has concurred in Council amendments to

H. B. 23—An act for the relief of the Sheriff of Pierce county.

H. B. 79—An act relative to hogs running at large.

C. W. FRUSH,
Chief Clerk.

Council resolved itself into Committee of the Whole on,

H. B. 89—An act establishing a common school system.

After some time spent therein, Committee rose, reported progress, and asked leave to sit again.

C. B. 18—An act relative to the construction of a bridge across the Spokane river.

Read first and second times.

Referred to Committee on Roads.

Mr. Montgomery introduced,

C. B. 19—An act to encourage the construction of railroads.

Read first and second times.

Referred to Committee on Ways and Means.

Mr. Montgomery introduced,

C. B. 20—An act in relation to county auditors.

Read first and second times.

Referred to Committee on Judiciary.

H. B. 50—An act defining the jurisdiction and practice of Probate Courts.

Read first and second times.

Referred to Committee on Judiciary.

H. M. 12—In relation to mail route No. 43,108.

Read first and second times.

Rules suspended, read third time and passed.

H. B. 71—Authorizing the purchase of the Runquest shackle.

Was taken up, and, on motion, laid on the table, subject to the call of the Council.

On motion of Mr. Stine,

The Secretary of the Territory was requested to furnish a committee room for the Council.

On motion of Mr. McLane, (Mr. Smith in the chair.)

The Secretary of the Territory was requested to furnish the Council an abstract of the popular vote of the Territory of Washington, at the last general election.

On motion of Mr. Cranney,

Council adjourned until 2 o'clock this P. M.

AFTERNOON SESSION.

COUNCIL CHAMBER,
Nov. 4, 1873.
2 O'CLOCK, P. M.

Council met pursuant to adjournment.

The President in the chair.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
November 4, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the introduction of the following:

H. B. 116—An act relative to incorporating the town of Tumwater.

H. B. 117—An act relative to appropriating money on account of expense incurred in capturing Joe Nohana, charged with murdering Mr. and Mrs. Dwyer.

H. B. 118—An act exempting certain property from taxes

H. B. 119—An act to change the name of Ida Elnora Van Bibber to Ida Elnora Bozarth, and make her heir-at-law, &c.

H. B. 120—An act relative to the Trustees of the town of Port Townsend, borrowing money.

H. B. 121—An act in relation to St. John's Insane Asylum, at Vancouver, W. T.

H. B. 122—An act regulating suits for divorce and alimony.

H. B. 123—An act re-locating county seat of Stevens county.

And also the passing of,

H. B. 116—An act in relation to the town of Tumwater.

H. B. 119—Relative to changing the name of Elnora Van Bibber, &c.

Also the introduction and passing of the following:

H. M. 13—Relative to an appropriation for removing the obstructions in the Columbia river.

CHARLES W. FRUSH,
Chief Clerk.

H. B. 119—An act relative to changing the name of Ida Elnora Van Bibber, &c.

Read first and second times.

Rules suspended, read third time, and the ayes and noes were called.

Those who voted in the affirmative were:

Messrs. Foster, Montgomery, Shaw, Smith and Mr. President–5.

Those who voted in the negative were:

Messrs. Cranney, Stine and Wallace–3.

The bill passed.

H. B. 116—An act to amend an act act entitled "an act to incorporate the town of Tumwater."

Read first and second times.

Rules suspended, read third time, and passed.

H. J. M. 16—For an appropriation to overcome obstacles in the Columbia river.

Read first and second times.

Rules suspended, read third time and passed.

Mr. Wallace reported,

H. B. 115—An act curing defective acknowledgments.

On motion of Mr. Montgomery,

Council adjourned till to-morrow at 10 A. M.

BERIAH BROWN,
Chief Clerk.

COUNCIL CHAMBER,
November 5, 1873.

Council met pursuant to adjournment.

Mr. President in the chair.

The roll being called the following members answered to their names:

Messrs. Cranney, Foster, Montgomery, Shaw, Smith, Stine, Wallace and Wood.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Smith presented a petition from the citizens of Wahkiakum, for an appropriation for a road.

Read and referred to Committee on Roads.

Mr. Wallace, from Committee on Judiciary, reported,

H. B. 80—Relating to criminal practice, with the following amendments:

Add to Sec. 107—Provided that this section shall not be so construed as to include Indians who are citizens, and entitled to vote under the Amendments to the Constitution of the United States, and the laws of Congress.

Amended Sec. 137—Strike out "twenty-one" and insert "eighteen."

Mr. Shaw, from Committee on Corporations, reported,

H. B. 20—An act to provide for the formation of corporations.

Recommending its passage.

Also,

C. B. 15—An act for the relief of John M. Izett.

H. B. 20—An act to provide for the formation of corporations.

Read third time and passed.

C. B. 15—For the relief of J. M. Izett.

Read third time and passed.

H. B. 80—Relating to criminal practice.

Amendments adopted.

Read third time and passed.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
November 5, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the house has passed,

H. S. B. 51—An act to provide for the appointment of Commissioner of Deeds.

And also present for the signature of the President of the Council, the following:

H. B. 23—An act for the relief of the Sheriff of Pierce county.

H. B. 48—An act for the relief of William R. Downey.

H. B. 88—Amendment to an act to locate a Territorial road from the mouth of Mill Creek, on the Willapa River, Pacific county, to intersect with the military road running from Monticello to Olympia.

H. B. 85—An act to locate a Territorial road from Klickitat prairie, in Lewis county, *via* Eden Prairie, to the twenty-mile post on the N. P. R. R.

H. S. B. 78—An act for the relief of James McAuliff.

C. W. FRUSH,
Chief Clerk.

H. S. B. 51—An act to provide for the appointment of Commissioner of Deeds.

Read first and second times.

Referred to Committee on Ways and Means.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
November 5, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the introduction of the following:

H. B. 124—An act relative to Woman's Suffrage.

H. B. 125—An act relative to locating a Territorial road.

H. B. 126—An act relative to sending a flagstaff to the Centennial Exhibition at Philadelphia.

H. B. 127—An act relative to bounty for killing certain animals.

H. B. 128—An act relative to appropriating money for expenses of Centennial Commission.

H. B. 129—An act for the relief of S. Hemenway.

H. B. 130—An act relative to Black River, in Thurston county.

H. B. 131—An act relative to hogs in Chehalis county.

H. B. 132—An act relating to the duties of certain officers.

H. B. 133—An act relative to removing property from N. P. R. R. lands.

H. B. 134—An act relative to civil practice.

And also the passing of,

H. B. 125—Relative to locating a Territorial road.

H. B. 127—Relative to bounty for killing certain animals.

And,

H. B. 131—Relative to hogs in Chehalis county.

C. W. FRUSH,
Chief Clerk.

H. B. 126—An act to locate a Territorial road from Kalama to Yakima.

Read first and second times.

Referred to Committee on Roads.

H. B. 127—An act repealing an act entitled an act to allow bounties for killing animals.

Read first and second times.

Rules suspended, read third time and passed.

H. B. 131—An act prohibiting the owners of hogs permitting the same to run at large in Chehalis county.

Read first and second times.

Referred to Committee on Agriculture.

Mr. Cranney, on leave, presented petition of M. W. Packard and others, for a memorial for a boom on Snohomish, and and introduced,

C. M. 7—For a boom on the Snohomish river.

Read first and second times.

Rules suspended, read third time and passed.

On motion of Mr. Cranney,

Council adjourned till to-morrow at 10 o'clock A. M.

BERIAH BROWN,
Chief Clerk.

COUNCIL CHAMBER,
November 6, 1873.

Council met pursuant to adjournment.

Mr. President in the Chair.

The roll being called, the following members answered to their names.

Messrs. Cranney, Foster, Montgomery, Smith, Stine, Shaw and Wood.

Prayer by the Chaplain.

Journal of yesterday read and approved.

On motion of Mr. McLane,

Leave of absence was granted Mr. Wallace on account of sickness.

Mr. Smith presented a petition from the citizens of Pacific and Wahkiakum counties, asking for a change of county lines.

Mr. Montgomery introduced,

C. B. 21—An act in relation to Quartz mining.

Mr. Smith introduced,

C. M. 8—For an appropriation for a road.

Mr. Montgomery, from Committee on Judiciary, reported,

H. B. 51—An act to legalize the acknowledgments taken before Commissioners of Deeds for W. T., between January 1, 1872 and January 1, 1873.

C. M. 8—For an appropriation for a road.

Read first and second times.

Referred to Committee on Roads.

C. B. 21—An act relative to quartz mining.

Read first and second times.

Referred to Committee on Mines and Mining.

H. S. B. 51—Relative to Commissioners of Deeds.

Bill read third time and passed.

Petition from citizens of Pacific and Wahkiakum counties, read and referred to member from that district.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
November 5, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the introduction of the following:

H. B. 135—An act relative to dissolving the bonds of matrimony existing between John Welliver and Sarah Jane Welliver.

H. B. 136—An act for the relief of J. Houghton.

H. B. 137—An act relative to payment of costs in certain cases.

Also the passing of,

H. B. 31—An act the better to provide for the prompt and convenient dispatch of business in the District Courts of this Territory.

H. B. 32—An act to fix the terms of holding of the Supreme and District Courts.

H. B. 102—An act relative to the incorporation of the city of Seattle.

H. S. B. 18---An act in relation to licenses.

H. B. 103—An act relative to discharging ballast.

H. B. 105—An act relating to the election of Justices of the Peace, for the town of Olympia.

H. B. 106—An act relating to the incorporation of the town of Olympia.

H. B. 107—An act in relation to the incorportion of the town of Vancouver.

H. B. 111—An act for the relief of J. H. Munson.

H B. 114—An act for the relief of I. V. Mossman.

And the introduction and passing of

H. M. 15—Relative to vacating Government reservation at Port Angeles, and

H. M. 16—Relative to a Territorial road between Fort Steilacoom and Walla Walla.

Also the introduction of

H. M. 14—Relative to Territorial road from Smokoway on Columbia river, to Olympia.

C. W. FRUSH,
Chief Clerk.

H. M. 16—An act relative to a Territorial road between Fort Steilacoom and Walla Walla.

Read first and second times.

Rules suspended; read third time and passed.

H. S. B. 18—An act in relation to licenses.

Read first and second times.

Referred to Committee on Ways and Means.

H. B. 107—An act to amend an act entitled an act to incorporate the city of Vancouver.

Read first and second times.

Referred to the members from Clarke county.

H. B. 33—An act to fix the times of holding the Supreme and District Courts.

Read first and second times.

Rules suspended, read third time and passed.

H. B. 102—An act to amend an act entitled an act to incorporate the city of Seattle.

Read first and second times.

Rules suspended, read third time and passed.

H. B. 105—An act in relation to Justices of the Peace in Olympia.

Read first and second times.

Rules suspended, read third time and passed.

H. B. 103—An act in relation to the discharge of ballast.

Read first and second times.

Referred to Committee on Commerce.

H. M. 15—Relative to vacating the Government reservation of Port Angeles.

Read first and second times.

Rules suspended, read third time and passed.

H. B. 114—An act for the relief of I. V. Mossman.

Read first and second times.

Referred to Committee on Ways and Means.

H. M. 111—An act for the relief of J. H. Munson.

Read first and second times.

Referred to Committee on Ways and Means.

H. B. 106—An act to amend an act entitled an act amendatory of an act entitled an act amendatory of an act entitled an act to incorporate the town of Olympia.

Read first and second times.

Referred to Committee on Incorporations.

H. B. 31—An act the better to provide for the prompt dispatch of business in the District Courts of this Territory.

Read first and second times.

Referred to Committee on Judiciary.

On motion of Mr. Cranney,

H. B. 89—An act establishing a common school system.

Was taken up.

Mr. McLane, (Mr. Shaw in the Chair) moved,

To indefinitely postpone.

Lost.

Mr. Foster moved to adopt the amendments reported by Committee on Education.

Carried.

Mr. McLane moved to amend Chap. 4, Sec. 17, by striking out the word "sixty" and insert "sixty-five" in lieu thereof.

The ayes and noes being called:

Those who voted in the affirmative were:

Messrs. Foster, Shaw, Stine and Mr. President—4.

Those voting in the negative were:

Messrs. Cranney, and Wood.

The amendment was adopted.

Bill as amended, read third time and passed.

On motion of Mr. Foster,

Council adjourned till to-morrow at 11 A. M.

BERIAH BROWN,
Chief Clerk.

COUNCIL CHAMBER,
November 7, 1873.

Council met pursuant to adjournment.

Mr. President in the chair.

The roll being called the following members answered to their names:

Messrs. Cranney, Foster, Montgomery, Shaw, Smith, Stine, Wallace and Wood.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES,
November 6, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the introduction of the following:

H. B. 138—An act to incorporate Blue Mountain Grange No. 3, Patrons of husbandry.

H. B. 139—An act relative to fees and costs.

H. B. 140—An act relative to marriage.

H. B. 141—An act relative to building a court house and jail in King county.

H. B. 142—An act allowing salary to Auditor of Kitsap county.

H. B. 143—An act relative to changing the county seat of Klickitat county.

H. B. 144—An act relative to a road across the Nisqually bottom.

H. B. 145—An act relative to the county seat of Lewis county.

H. B. 146—An act relative to Deeds.

H. B. 147—An act relative to the survey of Port Townsend.

H. B. 148—An act relative to A. A. Plummer, Jr.

H. B. 149—An act relative to establishing the Washington Hospital for the Insane.

H. B. 150—Supplemental to an act for the establishing of Washington Hospital.

H. B. 151—An act relative to a board of immigration, &c.

And,

H. M. 17—Relative to the University of Washington.

And also the passage of,

H. B. 112—An act relative to elections, &c.

H. B. 142—An act allowing salary to the Auditor of Kitsap county.

H. B. 90—An act authorizing King and other counties to vote aid to the Seattle and Walla Walla Railroad and Transportation Company.

H. B. 148—An act relative to A. A. Plummer, Jr.

H. B. 69—An act requiring county commissioners to publish their proceedings.

H. B. 147—An act in relation to the survey of the town of Port Townsend.

H. B. 145—An act to relocate the county seat of Lewis county.

H. B. 141—An act to provide means to build a court-house and jail in King county.

H. B. 54—An act to amend an act entitled an act to incorporate the city of Kalama.

Also,

C. B. 16—An act submitting to the voters of Washington Territory the question of calling a convention for the purpose of framing a State Constitution, and asking the admission of the State of Washington into the Union.

C. B. 13—An act concerning fences.

C. B. 15—An act for the relief of John M. Izett.

And also that the House has concurred in Council amendments to,

H. B. 80—Relating to criminal practice.

H. B. 134—Relative to Civil Practice.

C. W. FRUSH,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
November 7, 1873.

MR. PRESIDENT—

I am instructed by the House to present for the signature of the President of the Council, the following:

H. J. M. 13—Relative to an appropriation for removing the obstructions in the Columbia river.

H. B. 116—An act in relation to the town of Tumwater.

H. B. 119—Relative to changing the name of Elnora Van Bibber, &c.

H. B. 115—An act curing defective acknowledgements.

H. M. 12—Relative to increased mail service on route No. 43,108.

And also the Speaker has signed this Nov. 7th:

C. M. 6—For the relief of John M. Izett.

C. M. 7—Relative to settlers on railroad lands.

C. W. FRUSH,
Chief Clerk.

The President announced the signing of the following:

C. M. 6—For the relief of John M. Izett.

C. M. 7—Relative to railroad lands.

H. M. 12—In relation to mail route No. 43,108.

H. B. 115—An act curing defective acknowledgements.

H. B. 119—An act to change the name of Ida Elnora Van Bibber to Ida Elnora Bozarth, and make her heir-at-law, &c.

H. B. 116—An act to amend an act act entitled "an act to incorporate the town of Tumwater."

H. M. 13—Relative to an appropriation for removing obstructions in the Columbia.

Mr. Wood, from Committee on Commerce, reported,

H. B. 103—An act in relation to discharging ballast.

Recommending its passage.

Mr. Montgomery presented a petition of citizens of Whitman county for submitting the question of county seat to a vote of the people; and introduced,

C. B. 24—An act in relation to the county seat of Whitman county.

Mr. Smith, from Committee on Roads, reported,

C. M. 8—For an appropriation for a road.

Recommending its passage.

Mr. Wallace, from Committee on Judiciary, reported,

H. B. 31---An act the better to provide for the prompt and convenient dispatch of business in the District Courts of this Territory, with the following amendments:

In Sec. 3---Strike out the word "shall" and insert "may" in lieu thereof.

Strike out Section 6.

Mr. Montgomery, from Committee on Ways and Means, reported,

H. B. 114---An act for the relief of I. V. Mossman.

Recommending its passage.

Also,

H. B. 111---An act for the relief of J. H. Munson.

Recommending its passage.

Also,

C. B. 19—An act to encourage the construction of railroads.

With an amendment, as follows:

Add to Section 1---Provided that when any section of fifteen miles or more of road is completed, the same tax shall be levied as in all other cases made and provided, upon such section as completed."

Mr. Shaw, from Committee on Corporations, reported,

H. B. 106---An act to amend the acts to incorporate the town of Olympia.

Recommending its passage.

Mr. Shaw, from Special Committee, reported,

H. B. 107---An act to amend an act entitled an act to incorporate the city of Vancouver.

Recommending that it do pass.

Mr. Stine introduced,

C. B. 22---An act relating to liens of mechanics and materialmen.

Also,

C. B. 23---An act to provide for the construction and erection of a jail in Walla Walla county.

C. B. 22---Relating to liens of mechanics and materialmen.

Read first and second times.

Referred to Committee on Ways and Means.

C. B. 23---Providing for the construction of a jail in Walla Walla county.

Read first and second times.

Rules suspended, read third time, and passed.

H. B. 31---An act relative to District Courts.

Amendments adopted.

Read third time and passed.

H. B. 106---Relative to the incorporation of the town of Olympia.

Read third time and passed.

C. B. 19---An act to encourage the construction of railroads.

Mr. Smith dissented from the report of the Committee, recommending its passage.

Amendment adopted, read a third time and the ayes and noes were called.

Those who voted in the affirmative were:

Messrs. Cranney, Foster, Montgomery, Stine and Wood-5.

Those who voted in the negative were:

Messrs. Shaw, Smith, Wallace and Mr. President-4.

The bill passed.

H. B. 107---An act to amend an act entitled an act to incorporate the city of Vancouver.

Read third time and passed.

C. B. 24---Relative to the county seat of Whitman county.

Read first and second times.

Rules suspended, read a third time, and passed.

H. B. 111---For the relief of J. H. Munson.

Read third time, and passed.

H B. 114—An act for the relief of I. V. Mossman.

Read third time and passed.

C. B. 21—An act relative to quartz mining.

Read third time and passed.

C. M. 8—Relative to an appropriation for a road.

Read third time and passed.

H. B. 103---An act in relation to discharging ballast.

Read third time and passed.

H. B. 112---An act in relation to elections, and the mode of supplying vacancies.

Read first and second times.

Referred to Committee on Elections.

H. B. 142—An act allowing salary to Auditor of Kitsap county.

Read first and second times.

Rules suspended, read third time and passed.

H. B. 141—An act relative to building a court house and jail in King county.

Read first and second times.

Referred to Committee on Ways and Means.

H. B. 145—An act relative to the county seat of Lewis county.

Read first and second times.

Referred to Committee on Counties.

H. B. 148—An act relative to A. A. Plummer, Jr.

Read first and second times.

Rules suspended, read third time and passed.

H. B. 90—An act authorizing King and other counties to vote aid to the Seattle and Walla Walla Railroad and Transportation Company.

Read first and second times.

Referred to Committee on Judiciary.

H. B. 147—An act relative to the survey of Port Townsend.

Read first and second times.

Rules suspended, read third time and passed.

H. B. 69—An act requiring county commissioners to publish their proceedings.

Read first and second times.

Referred to Committee on Counties.

H. B. 54—An act to amend an act entitled an act to incorporate the city of Kalama.

Read first and second times.

Referred to Committee on Corporations.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
November 7, 1873.

MR. PRESIDENT—

I am instructed by the House to present for the signature of the President:

H. B. 127—An act relative to bounty for killing certain animals.

H. B. 104—An act to change the name of Charles Wilson to Charles Henry Valpy.

H. B. 80—Relating to criminal practice.

C. W. FRUSH,
Chief Clerk.

The President announced the signing of the following:

H. B. 127—An act relative to bounty for killing certain animals.

H. B. 104—An act to change the name of Charles Wilson to Charles Henry Valpy.

H. B. 80—An act relative to crimes—punishment and proceedings in criminal cases.

On motion of Mr. Cranney,

Council adjourned till to-morrow at 10 o'clock A. M.

BERIAH BROWN,
Chief Clerk.

COUNCIL CHAMBER,
November 8, 1873.

Council met pursuant to adjournment.

Mr. President in the Chair.

The roll being called, the following members answered to their names.

Messrs. Cranney, Foster, Montgomery, Smith, Stine, Shaw, Wallace and Wood.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Smith, from Committee on Counties, reported:

H. B. 145---An act to re-locate the county seat of Lewis county.

Recommending its passage.

Mr. Montgomery, from Committee on Ways and Means, reported,

H. B. 18—An act in relation to licenses.

With amendments, recommending its passage.

Mr. Wallace, from Committee on Judiciary, reported

H. B. 90—An act relative to the Seattle and Walla Walla Railroad.

With the recommendation that it do pass.

Mr. Stine dissenting.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
November 7, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the introduction of the following:

H. B. 152---An act to change the time of the Biennial Session.

And the passing of the following:

H. M. 13---Relative to streams and sloughs in Snohomish and King counties.

H. M. 11---Relative to vacating the Puyallup Indian Reservation.

C. M. 7—For a boom on the Snohomish river.

H. S. B. 92—An act to amend an act entitled an act to incorporate the city of Walla Walla.

H. B. 113—An act for the relief of B. W. Griffin.

H. B. 56—For the relief of the Sheriff of Thurston county.

And also the passing of,

C. B. 14—An act defining county lines.

With amendments, in which the concurrence of the Council is requested.

C. W. FRUSH,
Chief Clerk.

Mr. Wallace, from Committee on Judiciary, reported,

H. B. 50—An act defining the jurisdiction and practice in the Probate Courts of W. T., by substitute.

Mr. Wallace dissenting.

H. B. 145—An act to relocate the county seat of Lewis county.

Read third time and passed.

H. B. 90—Relative to the Seattle and Walla Walla Railroad Company.

Read third time and passed.

The ayes and noes being called:

Those who voted in the affirmative were:

Messrs. Cranney, Foster, Montgomery, Smith, Stine Wallace and Wood-7.

Those voting in the negative were:

Messrs. Shaw, and Mr. President-2.

Bill passed.

H. S. B. 18—An act in relation to licenses.

Amended as follows: Sec. 10—Insert after the word "billiard tables," "pigeon hole, Jenny Lind, and all other gaming tables."

Sec. 12—After the words "license in any county," insert, "in this Territory, except King county, and no license shall be construed to mean more than one house or saloon kept by the same party or parties; *Provided further*, that no part of this act shall in any way apply to the county of Island."

Read a third time, amendments adopted, and passed.

On motion to adopt the report of Committee on Judiciary, on,

H. B. 50—An act defining the jurisdiction and practice of Probate Courts.

The ayes and noes being called:

Those who voted in the affirmative were:

Messrs. Cranney, Smith, Stine, Wood and Mr. President-5.

Those who voted in the negative were:

Messrs. Foster, Shaw and Wallace-3.

The report was adopted.

H. S. B. 92—An act amending an act to incorporate the city of Walla Walla.

Read first and second times.

Referred to Committee of Walla Walla delegation.

H. M. 18—Asking that certain streams and sloughs in King and Snohomish counties, be declared navigable.

Read first and second times.

Rules suspended, read third time and passed.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
November 7, 1873.

MR. PRESIDENT:

I am instructed by the House to inform the Council that the Speaker has signed:

C. B. 11—An act relating to the Great Seal of Washington Territory.

C. B. 16—An act submitting to the voters of Washington Territory the question of State Government.

C. W. FRUSH,
Chief Clerk.

The President announced the signing of the following:

C. B. 11—An act relating to the great seal of the Territory.

C. B. 16---An act submitting to the voters of W. T. the question of State Government.

C. B. 14---An act in relation to boundary lines in Washington Territory.

Reported from the House with an amendment.

Amendment concurred in.

H. M. 11—Praying for the vacation of the Puyallup Indian Reservation.

Read first and second times.

H. B. 113—An act for the relief of B. W. Griffin.

Read first and second times.

Referred to Committee on Ways and Means.

H. B. 56---An act for the relief of the sheriff of Thurston county.

Read first and second times.

Referred to Committee on Ways and Means.

Mr. Shaw moved to reconsider the vote by which C. B. 23 was passed.

On motion of Mr. Foster,

Council adjourned till Monday at 10 A. M.

BERIAH BROWN,
Chief Clek.

COUNCIL CHAMBER,
November 10, 1873.

Council met pursuant to adjournment.

Mr. President in the chair.

On roll being called the following members answered to their names:

Messrs. Cranney, Foster, Montgomery, Shaw, Smith, Stine, Wallace and Wood.

Prayer by the Rev. Mr. Woodward.

The Journal of yesterday was read and approved.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES,
November 3, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the introduction of the following bills:

H. B. 153—An act for the relief of S. L. Mastick & Co.

H. B. 154—An act to aid in the construction of a wagon road from Kalama to Lewis river.

H. B. 155—An act relative to assessing and collecting county and Territorial revenue.—Approved Nov. 29, 1871.

H. B. 156—An act relative to incorporating the city of Steilacoom.

H. B. 157—An act relative to survey monuments in the city of Seattle, &c.

H. B. 158—An act to repeal an act relative to title to land in Washington Territory.

Also the passing of

H. B. 157—An act relative to the establishment of monuments for the survey of the streets of Seattle.

H. B. 158—An act relative to make perfect titles to land in W. T.—Approved Nov. 29, 1871.

H. B. 110—An act regulating taxes on railroads; substitute for H. B. 28 and 35—An act to regulate fees and costs.

And also that the Speaker has signed and herewith transmit for the signature of the President the following:

H. M. 16—Relative to a Territorial road between Fort Steilacoom and Walla Walla.

H. M. 15—Relative to vacating Government reservation at Port Angeles, and

H. B. 32—An act to fix the time of holding of the Supreme and District Courts.

H. B. 105—An act in relation to Justices of the Peace in Olympia.

H. S. B. 51—An act to provide for the appointment of Commissioner of Deeds.

And the passing of the following:

H. B. 144—An act relative to a road across the Nisqually bottom.

C. W. FRUSH,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
November 10, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the Speaker has signed:

C. B. 13—An act concerning fences.

C. B. 14—An act to amend an act entitled an act defining county lines in the Territory of Washington.

C. B. 15—An act for the relief of John M. Izett.

C. M. 7—Relative to settlers on railroad lands.

And also the passing of,

H. B. 153—An act for the relief of S. L. Mastick.

C. W. FRUSH,
Chief Clerk.

The President announced the signing of the following:

C. B. 13—An act concerning fences.

C. B. 14—An act defining county lines.

C. B. 15—An act for the relief of John M. Izett.

C. M. 7—For a boom on the Snohomish river.

Mr. Montgomery, from Committee on Ways and Means, reported,

H. B. 56—For the relief of the Sheriff of Thurston county.

With the recommendation that it do not pass.

H. B. 141—An act relative to building a court.house and jail in King county.

With amendments.

H. B. 113—An act for the relief of B. W. Griffin.

Recommending its passage.

Mr. Smith, from Committee on Roads, reported,

C. B. 18—An act appropriating one thousand dollars for the construction of a bridge across the Spokane River, in Stevens county.

With amendments, recommending its passage.

Mr. Shaw dissenting.

Mr. Foster, from Committee on Agriculture, reported,

H. B. 131—An act relative to hogs in Chehalis county.

Recommending its passage.

Mr. Stine, from Select Committee, reported,

H. S. B. 92—An act to amend an act entitled an act to incorporate the city of Walla Walla.

With amendment, recommending its passage.

Mr. Smith introduced,

C. B. 25---An act to establish boundary lines between Wahkiakum and Pacific counties.

On motion of Mr. Stine,

The vote by which the Council adopted,

H. S. B. 50—An act defining the jurisdiction and practice in the Probate Courts of W. T.

Was reconsidered, and the bill and substitute laid on the table.

H. M. 11—Relative to the Puyallup Indian Reservation.

Read second time.

Referred to Committee on Indian Affairs.

C. B. 25---An act to establish boundary lines between Wahkiakum and Pacific counties.

Read first and second times.

Referred to Committee on Counties.

C. B. 18---An act providing for the construction of a bridge across the Spokane River.

Re-committed to the Committee on Roads.

H. S. B. 92---An act to amend an act entitled an act to incorporate the city of Walla Walla.

Amendment adopted, read a third time and passed.

H. B. 131—Relative to hogs in Chehalis county.

Read third time and laid on the table.

H. B. 113---An act for the relief of B. W. Griffin.

Read third time and passed.

H. B. 56---An act for the relief of the Sheriff of Thurston county.

Read third time and laid on the table.

H. B. 141—An act to provide means to build a court-house and jail in King county.

Amendment adopted, read third time, and passed.

H. B. 157---An act to establish initial and standard monuments in the streets of the city of Seattle.

Read first and second times.

Rules suspended, read third time and passed.

H. B. 158---An act to repeal an act entitled an act to make perfect titles to lands in Washington Territory.---Approved Nov. 29, 1871.

Read first time.

H. B. 144—An act appointing viewers to re-locate a road across Nisqually bottom.

Read first time.

H. B. 110—An act substitute for H. B. 28 and 35, relative to costs and fees.

Read first and second times.

Referred to Committee on Judiciary.

On motion of Mr. Cranney,

Council adjourned until 2 o'clock this P. M.

AFTERNOON SESSION.

COUNCIL CHAMBER,
Nov. 10, 1873.
2 O'CLOCK, P. M.

Council met pursuant to adjournment.

The President in the chair.

H. B. 105—For the relief of S. L. Mastick & Co.

Read first and second times.

Referred to Committee on Ways and Means.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES,
November 10, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the house has passed, and to present for the signature of the President:

H. B. 20—An act to provide for the formation of corporations.

H. B. 102—An act to amend an act entitled an act to incorporate the city of Seattle.

H. B. 103—An act in relation to the discharge of ballast.

H. B. 106—An act relating to the incorporation of the town of Olympia.

H. B. 107—An act in relation to the incorportion of the town of Vancouver.

H. B. 142—An act allowing salary to the Auditor of Kitsap county.

H. B. 145—An act relative to the county seat of Lewis county.

H. B. 147—An act relative to the survey of Port Townsend.

H. B. 148—An act relative to A. A. Plummer, Jr.

And also the passing of,

C. B. 21—An act in relation to Quartz mining.

C. W. FRUSH,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
October 28, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the passage of

H. B. 122—An act regulating suits for divorce and alimony.

H. B. 98—An act relative to county surveyors.

H. B. 156—An act relative to incorporating the city of Steilacoom.

H. S. B. 99—An act to amend an act entitled an act relating to the support of the poor.

H. B. 146—An act relative to Deeds.

H. B. 97—An act relative to coroners.

H. B. 59—An act in relation to Judges of the District and Probate Courts, practicing as attorneys-at-law.

H. B. 66—An act to fix the age of majority.

And also the passage of the following:

C. B. 22---An act relating to liens of mechanics and materialmen.

With amendments, asking the concurrence of the Council therein.

CHARLES W. FRUSH.
Chief Clerk.

The Chair announced the signing of the following:

H. B. 20—An act to provide for the formation of corporations.

H. B. 102—An act relative to the incorporation of the city of Seattle.

H. B. 103—An act relative to discharging ballast.

H. B. 106—An act to amend an act entitled an act amendatory of an act entitled an act amendatory of an act entitled an act to incorporate the town of Olympia.

H. B. 107—An act to amend an act entitled an act to incorporate the city of Vancouver.

H. B. 111—An act for the relief of J. H. Munson.

H. B. 114—An act for the relief of I. V. Mossman.

H. B. 142—An act allowing salary to Auditor of Kitsap county.

H. B. 145---An act to re-locate the county seat of Lewis county.

H. B. 147—An act in relation to the survey of the town of Port Townsend.

H. B. 148—An act relative to A. A. Plummer, Jr.

Also the passage of

C. B. 22---Relating to liens of mechanics and materialmen.

On motion of Mr. Shaw,

H. B. 57—Relative to irrigation and water rights in the county of Yakima.

Was taken up, read third time and the ayes and noes were called:

Those who voted in the affirmative were:

Messrs. Shaw, Foster, Montgomery, Smith, Wallace and Wood-6.

Those voting in the negative were:

Messrs. Cranney, Stine and Mr. President-3.

Bill passed.

On motion of Mr. Stine,

H. B. 158---An act relative to make perfect titles to land in W. T.---Approved Nov. 29, 1871.

Was taken from the table, and referred to Committee on Judiciary.

Mr. Wallace, on leave, reported,

H. B. 134---On Civil Practice.

Read third time and passed.

Mr. Montgomery, on leave, reported,

H. M. 11—Relative to the Puyallup Indian Reservation.

Recommending that it do not pass.

Read third time.

The ayes and noes being called.

Those who voted in the affirmative were:

Messrs. Foster, Smith, and Wallace-3.

Those who voted in the negative were:

Messrs. Cranney, Montgomery, Shaw, Stine, Wood and Mr. President-6.

The memorial was rejected.

Mr. Cranney introduced,

C. B. 26---An act to suppress bawdry with women of Indian, Kanaka and Chinese blood.

Read first and second times.

Referred to Committee on Rules and Orders.

Mr. Foster, on leave, reported,

C. B. 17—An act in relation to railroads.

Read third time and passed.

Mr. Smith moved to adjourn.

The ayes and noes beinn called:

Those who voted in the affirmative were:

Messrs. Shaw, Smith and Wood–3.

Those who voted in the negative were:

Messrs. Cranney, Foster, Montgomery, Stine Wallace and Mr. President–6.

Motion lost.

C. B. 22---An act in relation to llens.

Reported from the House with amendments.

Laid upon the table.

H. B. 66—An act to fix the age of majority.

Read first and second times.

Mr. Cranney, moved to indefinitely postpone,

The ayes and noes being called,

Those who voted in the affirmative were:

Messrs. Cranney, Shaw, Smith, and Mr. President–4.

Those who voted in the negative were:

Messrs. Foster, Montgomery, Stine, Wallace and Wood–5.

Motion lost.

Mr. Foster moved to suspend the rules.

The ayes and noes being called:

Those who voted in the affirmative were:

Messrs. Foster, Montgomery, Stine, Wallace and Mr. President-5.

Those who voted in the negative were:

Messrs. Cranney, Shaw, Smith, and Wood-4.

Not being two-thirds in the affirmative, the motion was lost,

On motion the bill was referred to Committee on Ways and Means.

H. B. 146—An act relative to Deeds.

Read first and second times.

Referred to Committee on Judiciary.

H. B. 97—An act relative to coroners.

Read first and second times.

Rules suspended, read third time and passed.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
Nov. 10, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the passage of

H. B. 58—An act relative to the taking up of drift sawlogs and other timber of value.

H. B. 61—An act to regulate the interest of money.

H. B. 72—An act to prevent fraudulent conveyances.

H. B. 73—An act authorizing District Courts to change names.

H. B. 74—An act for the relief of commission merchants, carriers, wharfingers, &c.

H. B. 75—An act relative to clerks of Supreme and District Courts.

H. B. 76—An act relative to unclaimed property, lost money, &c.

H. B. 93—An act relative to county assessors.

H. B. 94—An act relative to Territorial Treasurer.

H. B. 95—An act relative to sheriffs.

H. B. 96—An act relative to Territorial Auditor.

C. W. FRUSH,
Chief Clerk.

On motion of Mr. Wallace,

H. B. 131—An act relative to hogs in Chehalis county.

Was taken up, read third time, and passed.

Mr. McLane, (Mr. Smith in the chair,) moved to take up.

H. B. 56—An act for the relief of the Sheriff of Thurston county

Taken up, and referred to Committee on Ways and Means.

H. S. B. 99—An act to amend an act entitled an act relating to the support of the poor.

Read first and second times.

Referred to Committee on Counties.

H. B. 156—An act relative to incorporating the city of Steilacoom.

Read first and second times.

Referred to Committee on Corporations.

H. B. 98—An act relative to county surveyors.

Read first and second times.

Referred to Committee on Counties.

H. B. 122—An act regulating suits for divorce and alimony.

Read first and second times.

Referred to Committee on Judiciary.

H. B. 96—In relation to Territorial Auditor.

Read first and second times.

H. B. 93—An act in relation to county assessors.

Read first and second times.

Referred to Committee on Counties.

H. B. 95—An act to create and regulate the office of sheriff.

Read first and second times.

Referred to Committee on Corporations.

H. B. 94—An act in relation to Territorial Treasurer.

Read first and second times.

Referred to Committee on Ways and Means.

H. B. 76—An act in relation to unclaimed property.

Read first and second times.

Referred to Committee on Corporations.

H. B. 75—An act in relation to clerks of courts,

Read first and second times.

Referred to Committee on Ways and Means.

H. B. 61—An act to regulate the interest on money.

Read first and second times.

Rules suspended, read third time and passed.

H. B. 74—An act for the relief of merchants and common carriers.

Read first and second times.

Referred to Committee on Commerce.

H. B. 73—An act authorizing district courts to change the names of persons.

Read first and second times.

Rules suspended, read third time and passed.

H B. 72—An act to prevent fraudulent conveyances.

Read first and second times.

Referred to Committee on Judiciary.

H. B. 58—An act relative to taking up drift sawlogs and other property.

Read first and second times.

Referred to Committee on Commerce.

On motion of Mr. Montgomery,

Council adjourned till to-morrow at 10 A. M.

BERIAH BROWN,
Chief Clerk.

COUNCIL CHAMBER,
November 11, 1873.

Council met pursuant to adjournment.

Mr. President in the chair.

On roll being called the following members answered to their names:

Messrs. Cranney, Foster, Montgomery, Shaw, Smith, Stine, Wallace and Wood.

Prayer by the Chaplain.

The Journal of yesterday was read and approved.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
November 10, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the introduction of the following bills:

H. B. 159—An act in relation to a new apportionment.

H. B. 160—An act relative to the town of Tumwater.

H. B. 161—An act relative to publishing legal notices.

H. B. 162—An act in relation to text books for the common schools.

H. B. 163—An act relative to stock raisers in Clallam and Jefferson counties.

H. B. 164—An act relative to estrays.

H. B. 165—An act relative to boats, scows, &c., adrift.

H. B. 166—An act relative to boundary lines in Pacific county.

H. B. 167—An act in relation to an apportionment, &c.

H. B. 168—An act relative to the cultivation of timber in Stevens and Whitman counties.

H. B. 169---An act authorizing Tumwater Library Association to hold gift concerts.

H. B. 170---An act defining the rights of husband and wife.

And also the passing of,

H. B. 160---An act to incorporate the town of Tumwater.

H. B. 170---An act defining the rights of husband and wife.

And also that the Speaker has signed and herewith transmit for the signature of the President the following:

H. B. 90---Relative to the Seattle and Walla Walla Railroad Company.

H. M. 18---Asking that certain streams and sloughs in King and Snohomish counties, be declared navigable.

C. W. FRUSH,
Chief Clerk.

Mr. Wallace, from Committee on Judiciary, reported

H. B. 72---An act to prevent fraudulent conveyances.

Recommending its passage.

Mr. Stine dissenting.

Also,

H. B. 122---An act to regulate suits for divorce.

Recommending its passage.

Mr. Stine, dissenting.

Mr. Smith, from Committee on Counties, reported:

C. B. 25---An act to establish boundary lines between Wahkiakum and Pacific counties.

Without recommendation.

Also,

H. B. 93---An act relating to county assessors.

With an amendment, as follows:

Strike out the word "May" where it occurs in Section 3, and nsert "August" in lı thereof..

Also,

H. B. 99---An act relative to the support of the poor.

Without recommendation.

Also,

H. B. 98---An act relating to county surveyor.

Without recommendation.

Mr. Shaw, from Committee on Corporations, reported,

H. B. 156---An act amendatory of an act to incorporate the city of Steilacoom.

Recommending its passage.

Mr. Montgomery, from Committee on Ways and Means, reported,

H. B. 153—An act for the relief of S. L. Mastick & Co.

Recommending its passage.

Also,

H. B. 56---An act for the relief of the sheriff of Thurston county.

With the recommendation that it do not pass.

Also,

H. B. 94---An act relating to Territorial Treasurer.

With the recommendation that it do not pass.

Also,

H. B. 59—An act in relation to Judges of the District and Probate Courts, practicing as attorneys-at-law.

With an amendment inserting the word "or" after the word ,'not" in the first line of Section 2.

Also,

H. B. 66—An act to fix the age of majority.

Recommending its passage.

Also,

H. B. 75—An act relative to clerks of Supreme and District Courts.

Recommending its passage.

The President announced the signing of the following:

H. B. 90---Relative to the Seattle and Walla Walla Railroad Company.

H. B. 134—An act relative to civil practice.

H. M. 18---Asking that certain streams and sloughs in King and Snohomish counties, be declared navigable.

Mr. Shaw, from Committee on Corporations, reported,

H. B. 76—An act relative to unclaimed property, lost money, &c.

Recommending that it do pass.

H. B. 95---An act relative to sheriffs.

Without recommendation.

Mr. Wood, from Committee on Commerce, reported,

H. B. 74—An act for the relief of commission merchants, carriers, wharfingers, &c.

Without recommendation.

Mr. Smith, from Committee on Roads, reported:

C. B. 18---An act providing for the construction of a bridge across the Spokane River.

Without amendment.

Recommending its passage.

Mr. Shaw, dissenting.

Mr. McLane, (Mr. Shaw in the chair,) introduced,

C. B. 27---An act to abolish the office of prosecuting attorney.

Also,

C. B. 28---An act to repeal an act relating to female suffrage.

Also,

C. B. 29---An act in relation to suffrage.

On motion of Mr. Wallace,

H. B. 50—An act defining the jurisdiction and practice of Probate Courts.

Was taken up.

On motion of Mr. McLane,

The Council resolved itself into a Committee of the Whole on, said bill.

[Mr. Wallace in the chair.]

After some time spent therein, the Committee rose and reported without recommendation.

Mr. Stine moved to to adopt Council Substitute for said bill.

The ayes and noes being called.

Those who voted in the affirmative were:

Messrs. Cranney, Shaw, Smith, Stine, and Mr. President-5.

Those who voted in the negative were:

Messrs. Foster, Wallace, and Wood-3.

Substitute adopted.

C. S. H. B. 50—An act defining the jurisdiction and practice in the Probate Courts of W. T.

Read first and second times.

Rules suspended, read third time and the ayes and noes being called,

Those who voted in the affirmative were:

Messrs. Cranney, Shaw, Smith, Stine and Mr. President–5.

Those who voted in the negative were:

Messrs. Foster, Montgomery, Wallace and Wood–3.

Bill passed.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
November 11, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council that

the House desires the Council to inform the House of its amendment to,

H. B. 18—An act in relation to licenses.

C. W. FRUSH,
Chief Clerk.

The following message was received from the Governor:

TERRITORY OF WASHINGTON,
EXECUTIVE DEPARTMENT,
Olympia, W. T., November 10, 1873.

TO THE HONORABLE PRESIDENT,
Legislative Council, W. T.

I have the honor to inform the Council that I have this day approved and signed the following bills:

An act concerning fences.

An act submitting to the voters of Washington Territory the question of calling a convention for the purpose of framing a State Constitution, and asking the admission of the State of Washington into the Union.

An act for the relief of J. M. Izett.

An act to amend an act entitled an act defining county lines in the Territory of Washington.

An act relating to the Great Seal of Washington Territory.

ELISHA P. FERRY,
Governor.

C. B. 22—An act relating to liens of mechanics and materialmen.

The question being on concurring with the amendments of the House, it was decided in the negative.

H. B. 144—An act relative to a road across the Nisqually bottom.

Read second time, and, on motion of Mr. McLane, indefinitely postponed.

H. B. 96—An act relative to Territorial Auditor.

Read second time, and on motion of Stine, laid on the table.

Mr. Foster moved that the Council adjourn till 2 o'clock.

The ayes and noes being called:

Those who voted in the affirmative were:

Messrs. Foster, Montgomery, Shaw and Wallace–4.

Those who voted in the negative were:

Messrs. Cranney, Smith, Stine, Wood and Mr. President-5.

Motion lost.

C. B. 27—An act providing for the establishment of a Territorial road.

Read first and second times.

Referred to Committee on Elections.

C. B. 28---An act to repeal an act relating to female suffrage.

Read first and second times.

Mr. Smith moved to indefinitely postpone,

The ayes and noes being called:

Those who voted in the affirmative were:

Messrs. Cranney, Foster, Montgomery, Smith, Stine and Wood–6.

Those who voted in the negative were:

Messrs. Shaw, Wallace, and Mr. President–3.

The bill was indefinitely postponed.

On motion of Mr. Montgomery,

Council adjourned until 2 o'clock this P. M.

AFTERNOON SESSION.

COUNCIL CHAMBER,
Nov. 11, 1873.
2 O'CLOCK, P. M.

Council met pursuant to adjournment.

The President in the chair.

H. B. 72—An act to prevent fraudulent conveyances.

Read third time and rejected.

H. B. 93—An act relative to county assessors.

Laid upon the table.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
Nov. 11, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the introduction of the following bills:

H. B. 171—An act relative to witnesses in contested land cases.

H. B. 172—An act to pay for printing.

H. B. 173—An act to prevent persons from enticing seamen to desert.

H. B. 174—An act in relation to counties.

H. B. 175—An act relative to weights and measures.

And also the passing of,

H. B. 26—An act to create and organize the county of Skagit.

H. B. 163—An act relative to stock raisers in Clallam and Jefferson counties.

H. B. 164—An act relative to estrays.

H. B. 165—An act relative to boats, scows, &c., adrift.

H. B. 166—An act relative to boundary lines in Pacific county.

H. B. 168—An act relative to the cultivation of timber in Stevens and Whitman counties.

H. B. 171—An act relative to witnesses in contested land cases.

H. B. 173—An act to prevent persons from enticing seamen to desert.

H. B. 174---An act relative to counties.

H. B. 123---An act to re-locate the county seat of Stevens county.

And that the House has concurred in Council amendments to

H. B. 31—An act the better to provide for the prompt and convenient dispatch of business in the District Courts of this Territory.

H. S. B. 92---An act to amend an act entitled an act to incorporate the city of Walla Walla.

H. B. 141—An act to provide means to build a court-house and jail in King county.

Also that the House refuses to concur in Council amendment No. 2—by striking out (60) and inserting (65) to

H. B. 89—An act establishing a common school system for W. T.

And also present for the signature of the President of the Council.

H. B. 113—An act for the relief of B. W. Griffin.

H. B. 157—An act relative to survey monuments in the city of Seattle, &c.

C. W. FRUSH,
Chief Clerk.

H. B. 156—An act relative to incorporating the city of Steilacoom.

Read third time and passed.

H. B. 66---An act to fix the age of majority.

Laid on the table.

H. S. B. 59---An act relative to Judges of District and Probate Courts practicing as attorneys-at-law.

Laid on the table.

H. B. 122—An act regulating suits for divorce and alimony.

Laid on the table.

H. B. 98—An act relative to county surveyors.

Laid on the table.

H. B. 94—An act relative to Territorial Treasurer.

Laid on the table.

H. B. 75—An act in relation to clerks of courts.

Laid on the table.

H. B. 74—An act for the relief of merchants and common carriers.

Laid on the table.

H. B. 95—An act to create and regulate the office of sheriff.

Laid on the table.

H. B. 76—An act in relation to unclaimed property.

Laid on the table.

C. B. 18—An act appropriating one thousand dollars for the construction of a bridge across the Spokane River, in Stevens county.

Laid on the table.

C. B. 25—An act to establish boundary lines between Wahkiakum and Pacific counties.

Laid on the table.

H. B. 56—An act for the relief of the Sheriff of Thurston county

Read third time.

Re-committed to the Committee on Ways and Means.

H. B. 153—An act for the relief of S. L. Mastick.

Bill read third time and passed.

H. B. 160—An act to incorporate the town of Tumwater.

Indefinitely postponed.

H. B. 170—An act defining the rights of husband and wife.

Read first and second times.

Referred to Committee on Judiciary.

H. B. 123—An act to re-locate the county seat of Stevens County.

Read first and second times and laid on the table.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
November 11, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has passed:

C. M. 8—For an appropriation for a road.

H. B. 159—An act in relation to a new apportionment.

And also of the concurrence in Council amendments to the following:

H. B 18—Relative to licenses.

CHARLES W. FRUSH,
Chief Clerk.

H. B. 163—An act relative to stock-raisers in Clallam and Jefferson counties.

Read first and second times.

Referred to Committee on Counties.

H. B. 168—An act relative to the cultivation of timber in Stevens and Whitman counties.

Read first and second times.

Rules suspended, read third time and passed.

H. B. 171—An act relative to witnesses in contested land cases.

Read first and second times.

Referred to Committee on Judiciary.

H. B. 166—An act relative to boundary lines in Pacific county.

Read first and second times.

Rules suspended, read third time and passed.

H. B. 26—An act to create and organize the county of Skagit.

Read first time.

H. B. 173—An act to prevent persons from enticing seamen to desert.

Read first and second times.

Referred to Committee on Commerce.

H. B. 174—An act relative to counties.

Laid on the table.

H. B. 165—An act relative to boats, scows, &c., adrift.

Laid on the table.

H. B. 164—An act relative to estrays.

Laid on the table.

H. B. 159—An act to apportion the Legislative Assembly.

Read first and second times.

Referred to Select Committee consisting of Messrs. Montgomery, Smith, Cranney, Stine and Wallace.

The President announced the signing of the following:

H. B. 113—An act for the relief of B. W. Griffin.

H. B. 157—An act relative to survey monuments in the city of Seattle, &c.

Mr. Wallace, on leave, introduced,

C. B. 30—An act to dissolve the bonds of matrimony between A. J. Moses and wife.

On motion of Mr. Cranney,

Council adjourned until 10 o'clock A. M. to-morrow.

BERIAH BROWN,
Chief Clerk.

COUNCIL CHAMBER,
November 12, 1873.

Council met pursuant to adjournment.

Mr. President in the chair.

On roll being called the following members answered to their names:

Messrs. Cranney, Foster, Montgomery, Shaw, Smith, Stine, Wallace and Wood.

Prayer by the Chaplain.

The Journal of yesterday was read and approved.

Mr. Smith, from Committee on Counties, reported:

H. B. 163—An act relative to stock raisers in Clallam and Jefferson counties.

Recommending its passage.

Mr. Wood, from Committee on Commerce, reported,

H. B. 173---An act to prevent persons from enticing seamen to desert.

Mr. Smith, from Committee on Roads, reported,

H. B. 49—Relative to bridges, ferries, &c.

Without recommendation.

Mr. Wallace, from Committee on Judiciary, reported

H. B. 170---An act defining the rights of husband and wife.

Recommending that it do pass.

Also,

C. B. 20—An act in relation to county auditors.

Without recommendation.

Mr. Montgomery from Committee on Ways and Means, reported,

H. B. 56---An act for the relief of the Sheriff of Thurston county

With the recommendation that it do not pass.

Mr. Shaw, from Committee on Corporations, reported,

H. B. 54—An act to amend an act entitled an act to incorporate the city of Kalama.

With an amendment.

Mr. Stine, from Select Committee on University, reported as follows:

MR. PRESIDENT—

The Joint Committee appointed to visit the Territorial University, having performed that duty as well as the time at their disposal would permit, submit the following report:

Upon our arrival we were unable to find any of the acting regents of the University, but the Hon. J. J. McGilvra kindly offered to accompany us to the University buildings, and, in company with that gentleman, we proceeded to make an inspection of the premises.

The building for school purposes, if furnished, would be ample to accommodate 250 or 300 scholars. At present the school in charge of Prof. Hill, contains about fifty students of both sexes, and it is well conducted having been reorganized on an improved plan by Professor Hill which, if carried out, will be the means of working much good. The school building and also the President's house and boarding house should all be repainted the coming season, and the Committee would recommend that an appropriation be made for that purpose.

Astronomical and philosophical apparatus is much needed. And the grounds are sadly neglected, but we can hardly recommend any appropriation for any purposes except to save the buildings from decay, until the defective title to the lands is remedied.

Your committee have been unable to get any report of the land, or financial condition of the University, on which to base a report.

In conclusion, we would say that the neglected condition of the premises, and the apparent feeling of indifference on the part of many of the citizens of Seattle, lead us to recommend a change in the present system of government for this institution.

All of which is respectfully submitted.

FRED STINE,
Chairman Council Committee.
J. A. KUHN,
Chairman House Committee.

Report adopted.

Mr. Stine introduced,

C. B. 31—An act to provide for completing the records of the present session of the Legislative Assembly.

Mr. Smith introduced,

C. B. 32—An act to authorize Arthur Quigley to keep a gate on a county road.

Mr. McLane introduced,

C. B. 33—An act to provide for the payment of bills for the public printing.

H. B. 26—An act to create and organize the county of Skagit.

Read first and second times.

Referred to Committee on Counties.

C. B. 30—An act to dissolve the bonds of matrimony between A. J. Moses and Sarah J. Moses.

Read second time, rules suspended, read third time, and the ayes and noes being called.

Those who voted in the affirmative were:

Messrs. Foster, Montgomery, Shaw, Smith, Wallace, and Wood-6.

Those who voted in the negative were:

Messrs. Cranney, Stine and Mr. President-3.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
Nov. 11, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the passing of the following:

H. B. 64—An act providing for the assessing and collecting of county and Territorial revenue.

H. S. B. 130—An act relative to Black River, in Thurston county.

H. B 83—An act to provide for the election of county commissioners, and defining their duties.

H. B. 67—An act to establish the amount and provide for the payment of costs in certain cases.

C. S. H. B. 50—An act defining the jurisdiction and practice in the Probate Courts of W. T.

C. B. 5—An act to change the boundaries of Clarke county.

With an amendment by the House, in which the concurrence of the Council is requested.

C. W. FRUSH,
Chief Clerk.

The President announced the signing of the following:

C. B. 21—An act in relation to Quartz mining.

C. M. 8—For an appropriation for a road.

H. B. 47—An act relating to Justices of the Peace and proceedings in Justice's court.

H. B. 73—An act authorizing District Courts to change names.

H. B. 18—An act in relation to licenses.

H. B. 141—An act to provide means to build a court-house and jail in King county.

H. B. 57—Relative to irrigation and water rights in the county of Yakima.

H. S. B. 92—An act to amend an act entitled an act to incorporate the city of Walla Walla.

H. B. 131—An act relative to hogs in Chehalis county.

H. B. 146—An act relative to Deeds.

H. B. 31—An act the better to provide for the prompt dispatch of business in the District Courts of this Territory.

H. B. 61—An act to regulate the interest of money.

H. B. 97—An act relative to coroners.

C. B. 31—An act to provide for completing the records of the present session of the Legislative Assembly.

Read first and second times.

Referred to Committee on Ways and Means.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
November 10, 1873.

I am instructed by the House to inform the Council that the Speaker has signed:

H. B. 31—An act the better to provide for the prompt and convenient dispatch of business in the District Courts of this Territory,

H. B. 57—An act relative to irrigation and water rights in the county of Yakima, W. T.

H. B. 73—An act authorizing district courts to change the names of persons.

H. B. 61—An act to regulate the interest on money.

H. B. 97—An act relating to coroners.

H. S. B. 92—An act to amend an act entitled an act to incorporate the city of Walla Walla.

H. S. B. 18—An act relative to licenses.

H. B. 131—An act prohibiting the owners of hogs permitting the same to run at large in Chehalis county.

H. B. 146—An act relative to deeds.

H. B. 141—An act relative to building a court house and jail in King county.

And also that the Speaker has signed and herewith transmit for the signature of the President the following:

C. M. 8—For an appropriation for a road.

C. B. 21—An act in relation to Quartz Mining.

C. W. FRUSH,
Chief Clerk.

Mr. Montgomery, on leave, reported from Special Committee,

H. B. 159—An act relative to apportionment.

With amendments.

H. B. 32—An act to fix the time of holding of the Supreme and District Courts.

Read first and second times.

Mr. Smith moved to suspend the rules, to put the bill upon its passage now.

The ayes and noes being called:

Those who voted in the affirmative were:

Messrs. Foster, Shaw, Smith, Wood and Mr. President—5.

Those who voted in the negative were:

Messrs. Cranney, Montgomery, and Stine—3.

Not being two-thirds in the affirmative the motion was lost.

Bill referred to Committee on Counties.

C. B. 33—An act to provide for the payment of bills for the public printing.

Read first and second times.

Rules suspended, read third time and passed.

C. B. 20—An act relative to county auditors.

Laid on the table.

H. B. 159—An act relative to apportionment.

Read third time, amendments adopted, and passed.

H. B. 173—An act to prevent persons from enticing seamen to desert.

Read third time and passed.

H. B. 56—An act for the relief of the Sheriff of Thurston county

Read third time and laid on the table.

H. B. 54—An act to amend an act entitled an act to incorporate the city of Kalama.

Read third time.

Amendment of Committee adopted, and bill passed.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
November 12, 1873.

I am instructed by the House to inform the Council that the Speaker has signed:

H. B. 47—An act relating to Justices of the Peace and proceedings in Justice's court.

Also the passage of

H. B. 172—An act to pay for printing.

H. B. 129—An act for the relief of S. Hemenway.

H. B. 161—An act relative to publishing legal notices.

H. S. B. 117—An act relative to appropriating money on account of expense incurred in capturing Joe Nohana, charged with murdering Mr. and Mrs. Dwyer.

H. B. 128—An act appropriating money to meet the expense of Centennial Commission.

CHARLES W. FRUSH,
Chief Clerk.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
November 12, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has passed:

H. B. 175—An act relative to weights and measures.

Also,

H. J. R. 12—Relative to cancelling certain Territorial warrants.

In which the concurrence of the Council is requested.

C. W. FRUSH,
Chief Clerk.

H. B. 163—An act relative to stock-raisers in Clallam and Jefferson counties.

Read third time and passed.

S. H. B. 49–An act to amend an act entitled an act relative to roads, ferries and public highways.

Laid on the table.

H. J. R. 12—Providing for cancelling certain Territorial Warrants.

Read first and second times.

Rules suspended, read third time and passed.

H. B. 128—An act appropriating money to meet the expenses of Centennial Commission.

Read first and second times.

Referred to Committee on Ways and Means.

S. H. B. 117—An act to pay certain expenses.

Read first and second times.

Referred to Committee on Ways and Means.

H. B. 161—An act in relation to the publication of certain legal notices.

Read first and second times.

Referred to Committee on Judiciary.

H. B. 175—An act relative to weights and measures.

Read first and second times.

Laid on the table.

H. B. 172—An act to pay for printing.

Read first and second times.

Referred to Committee on Elections.

H. B. 129—An act for the relief of S. Hemenway.

Read first and second times.

Referred to Committee on Ways and Means.

Council concurred in House amendment to,

C. B. 5—An act to change the boundary of Clarke county.

S. H. B. 13—An act declaring Black River navigable.

Read first and second times.

Referred to Committee on Roads.

Mr. Smith moved to adjourn till 2 o'clock P. M.

Lost.

H. B 83—An act to provide for the election of county commissioners, and defining their duties.

Laid on the table.

H. B. 64—An act providing for the assessing and collecting of county and Territorial revenue.

Referred to Committee on Counties.

H. B. 67—An act to establish the amount and provide for the payment of costs in certain cases.

Laid on the table.

On motion of Mr. Cranney,

Council took a recess until 2 o'clock P. M.

BERIAH BROWN,
Chief Clerk.

AFTERNOON SESSION.

COUNCIL CHAMBER,
November 12, 1873.
2 O'CLOCK P. M.

Council met pursuant to adjournment.

Mr. President in the chair.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
November 13, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has introduced and passed:

H. B. 178—An act to fix the rate to be paid for public printing, and providing for auditing the accounts of the public printer.

H. J. R. 13—Relative to the contractor of the Insane, and the resident physician of the Insane Asylum, and request the concurrence of the Council therein.

And also the passing of the following:

C. B. 19—An act to encourage the construction of railroads.

C. W. FRUSH,
Chief Clerk.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
Nov. 12, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the introduction of the following:

H B. 176—An act to amend an act entitled an act to subdivide the Judicial Districts.

H. B. 177—An act attaching Mason county in the Second Judicial District, to Pierce county, in the Third Judicial District.

H. B. 179—An act to change the boundaries of Yakima and Klickitat counties.

H. B. 180—And act for the relief of the Rev. P. E. Hyland, and the Rev. J. B. Huntington, Chaplains of the Assembly.

H. B. 181—An act for the relief of William Lewis, Sheriff of Yakima county.

H. B. 182—An act relating to marriage.

H. B. 183—An act for the relief of the Territorial University.

And also the passage of

H. B. 179—An act to change the boundaries of Yakima and Klickitat counties.

C. W. FRUSH,
Chief Clerk.

Mr. Cranney, from Committee on Enrollment, reported as correctly enrolled,

H. B. 50—An act defining the jurisdiction and practice of Probate Courts.

Mr. Montgomery from Committee on Ways and Means, reported,

C. B. 31—An act to provide for completing the records of the present session of the Legislative Assembly.

Recommending its passage.

Mr. Wallace, from Committee on Judiciary, reported,

H. B. 110—An act substitute for H. B. 28 and 35, relative to costs and fees.

With amendments.

Also,

H. B. 161—An act relating to legal notices.

Recommending its passage.

Mr. Smith, from Committee on Roads, reported,

H. S. B. 130—An act relative to Black River, in Thurston county.

With an amendment to strike out Section 6.

Amendment adopted, bill read third time and passed.

H. B. 89—An act establishing a common school system for W. T.

Returned from the House with the message that the House refused to concur in the amendment of the Council.

On motion, the Council receded.

H. B. 110—An act regulating taxes on railroads; substitute for H. B. 28 and 35—An act to regulate fees and costs.

Was taken up.

The Council resolved itself into a Committee of the Whole on said bill.

Mr. Wallace, in the chair.

After some time spent therein, the Committee rose, and reported that the bill do not pass.

Report adopted.

Mr. Smith, from Committee on Counties, reported:

C. B. 32—An act to authorize Arthur Quigley to keep a gate on a county road.

Recommending its passage.

Mr. Stine dissenting.

C. B. 31—An act to provide for completing the records of the present session of the Legislative Assembly.

Read third time and passed.

H. B. 161—An act to provide for the payment of certain printing.

Read third time and passed.

C. B. 32—Au act authorizing Arthur Quigley to keep a gate on a county road.

Read third time, and passed.

H. B. 179—An act to change the boundaries of Yakima and Klickitat counties.

Read third time and passed.

H. B. 178—An act fixing the rates to be paid for public printing, and providing for the auditing of accounts of public printer.

Read first and second times.

Rules suspended, read third time and passed.

H. J. R. 13—In relation to Hill Harmon and Dr. Hemenway.

Read first and second times.

Made Special Order for to-morrow at 12 o'clock.

Mr. Smith, from Committee on Counties, reported,

Without recommendation.

H. B. 64—An act relative to county and Territorial revenue.

On motion of Mr. Cranney,

The bill was laid on the table.

The President declared the Council adjourned till to-morrow, at 10 o'clock A. M.

BERIAH BROWN,
Chief Clerk

COUNCIL CHAMBER,
November 13, 1873.

Council met pursuant to adjournment.

Mr. President in the chair.

On roll being called the following members answered to their names:

Messrs. Cranney, Foster, Montgomery, Shaw, Smith, Stine, Wallace and Wood.

Prayer by the Chaplain.

The Journal of yesterday was read and approved.

Mr. Wallace, from Committee on Judiciary, reported

H. B. 171—An act relative to witnesses in contested land cases.

Recommending its passage.

Mr. Shaw, from Committee on Elections, reported

H. B. 112—An act in relation to elections, and the mode of supplying vacancies.

Recommending its passage.

Mr. Wood introduced,

C. B. 32—An act to regulate fees and costs of the Sheriffs of Kitsap and Jefferson counties.

Also,

C. B. 33—An act appropriating money to pay for books.

Also,

C. B. 34—An act for the relief of James Seavey.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
November 5, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the the introduction of the following:

H. B. 184—An act for the relief of Dr. Philip James.

H. B. 185—An act to dissolve the bonds of matrimony now existing between George B. Hansell and Lottie C. Hansell.

H. B. 186—An act to provide for the future care and custody of Territorial convicts.

H. B. 187—An act in relation to constables.

H. B. 188—An act relative to county treasurer.

A. B. 189—An act for the relief of Frank Clark.

H. B. 190—An act for the relief of T. G. Murphy.

H. B. 191—An act relative to an apportionment.

H. B. 192—An act relating to certain fees in Walla Walla county.

Also,

H. M. 14—Relative to the Chehalis river.

H. M. 15—Relative to a mail route from Seattle to Wallula, W. T.

H. M. 16—Relative to the annexation of Nez Perce and Shoshone counties, Idaho Territory.

Also,

H. J. R. 11—Relative to new business being introduced.

And also of the concurrence in Council amendments to

H. B. 130—An act relative to Black River, in Thurston county.

And that the House has refused to concur in Council amendment to

H. B. 159—An act relative to apportionment.

And also that the Speaker has signed and herewith transmit for the signature of the President the following:

C. S. H. B. 50—An act defining the jurisdiction and practice in the Probate Courts of W. T.

Also, of the passing of the following:

C. B. 32—An act to authorize Arthur Quigley to keep a gate on a county road.

H. B. 180—And act for the relief of the Rev. P. E. Hyland, and the Rev. J. B. Huntington, Chaplains of the Assembly.

C. B. 31—An act to provide for completing the records of the present session of the Legislative Assembly.

H. M. 15—Relative to mail route from Seattle to Wallula.

Also,

H. J. R. 11—Relative to the introduction of new business.

C. W. ERUSH,
Chief Clerk.

Mr. McLane [Mr. Shaw in the chair,] introduced,

C. M. 8—Praying for relief from and protection against the Northern Pacific Railroad.

Also,

A petition for the removal of the Territorial University.

Also,

C. B. 35—An act to dissolve the bonds of matrimony existing between Dustin Sands and Celesta A. Sands.

Also,

C. B. 36—An act to dissolve the bonds of matrimony existing between Clermont Ticknor and Emma Josephine Ticknor.

C. B. 35—An act to dissolve the bonds of matrimony existing between Dustin Sands and Celesta A. Sands.

Read first and second times.

Mr. Montgomery moved to refer to Committee on Claims.

The ayes and noes being called:

Those who voted in the affirmative were:

Messrs. Cranney, Montgomery, Stine, Wallace and Wood—5.

Those who voted in the negative were:

Messrs. Foster, Shaw, Smith, and Mr. President—4.

Motion carried.

C. B. 36—An act to dissolve the bonds of matrimony existing between Clermont Ticknor and Emma Josephine Ticknor.

Read first and second times.

Referred to Committee on Claims.

C. B. 34—An act for the relief of James Seavey.

Read first and second times.

Referred to Committee on Ways and Means.

C. B. 32—An act to regulate fees and costs of the Sheriffs of Kitsap and Jefferson counties.

Read first and second times.

Referred to Committee on Ways and Means.

C. B. 33—An act appropriating money to pay for books.

Read first and second times.

Referred to Committee on Ways and Means.

C. M. 8—Praying for relief from and protection against the Northern Pacific Railroad.

Read first and second times.

Mr. Wallace moved to amend by striking out all that portion referring to the Terminal Point on Commencement Bay, and that part asking Congress to investigate the same.

Lost.

Referred to Committee on Corporations.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
November 13, 1873.

MR. PRESIDENT:

I am instructed by the House to inform the Council that the Speaker has signed, and herewith present for the signature of the President:

H. B. 89—An act establishing a common school system for W. T.

H. B. 130—An act relative to Black River in Thurston county.

H. B. 161—An act relative to publishing legal notices.

H. B. 163—An act relative to Clallam and Jefferson counties.

H. B. 179—An act to change the boundaries of Yakima and Klickitat counties.

H. B. 173—An act to prevent persons from enticing seamen to desert.

H. B. 178—An act to fix the rate to be paid for public printing, and providing for auditing the accounts of the public printer.

H. B. 170—An act defining the rights of husband and wife.

Also,

H. J. R. 12—Providing for cancelling certain Territorial Warrants.

C. B. 5—An act to change the boundary of Clarke county.

C. B. 19—An act to encourage the construction of railroads.

Also the passage of

C. B. 30—An act to dissolve the bonds of matrimony between A. J. Moses and wife.

And has receded from its amendments to,

C. B. 22—An act in relation to liens.

And has concurred in Council amendment to,

H. B. 54—An act to amend an act entitled an act to incorporate the city of Kalama.

C. W. FRUSH,
Chief Clerk.

A petition asking for the removal of the Territorial University from Seattle.

Read and referred to Committee on Education.

H. B. 171—An act relative to witnesses in contested land cases.

Read third time and passed, and the title agreed to.

H. B. 112—An act in relation to elections, and the mode of supplying vacancies.

Read third time and Mr. McLane moved to lay on the table.

The ayes and noes being called:

Those who voted in the affirmative were:

Messrs. Cranney, Smith, Stine, Wood and Mr. President-5.

Those who voted in the negative were:

Messrs. Foster, Montgomery, Shaw, and Mr. Wallace-4.

Motion carried.

Bill laid on the table.

The President announced the signing of the following:

H. S. B. 50—An act defining the jurisdiction and practice of Probate Courts.

H. J. R. 11—In relation to receiving new business.

Read first and second times.

On motion of Mr. Wallace,

Was amended by striking out "Wednesday" and inserting "Thursday."

Read third time as amended, and passed.

The Clerk was instructed to report the resolution back to the House forthwith.

H. B. 180—An act for the relief of the Rev. P. E. Hyland and the Rev. C. A. Huntington, Chaplains of the Legislative Assembly.

Read first and second times.

Referred to Committee on Ways and Means.

H. B. 159—An act in relation to a new apportionment.

Reported back, House refusing to concur in Council amendment.

The question being shall the Council recede from its amendment.

The ayes and noes being called:

Those who voted in the affirmative were:

Messrs. Foster, Montgomery, Shaw, Smith, Stine, Wallace and Mr. President—7.

Those who voted in the negative were:

Messrs. Cranney, and Wood—2.

Council receded from its amendment.

Mr. Cranney called,

H. B. 56—An act for the relief of the Sheriff of Thurston county,

From the table.

Read third time and passed.

The President announced the signing of the following:

H. B. 89—An act to establish a Common School system for W. T.

H. B. 161—An act in relation to the publication of certain legal notices.

H. B. 178—An act fixing the rates to be paid for public printing, and providing for the auditing of accounts of public printer.

H. B. 179—An act to change the boundaries of Yakima and Klickitat counties.

H. B. 173—An act to prevent persons from enticing seamen to desert.

C. B. 19—An act to encourage the construction of railroads.

H. B. 163—An act relative to stock raisers in Clallam and Jefferson counties.

H. B. 170—An act defining the rights of husband and wife.

H. J. R. 12—Relative to cancelling certain Territorial warrants.

C. B. 5—An act to change the boundaries of Clarke county.

H. B. 130—An act relative to Black river, in Thurston county.

H. M. 15—Relative to a mail route from Seattle to Wallula.

Read first and second times.

Rules suspended, read third time and passed.

On motion of Mr. Foster,

Council took a recess until 2 o'clock P. M.

AFTERNOON SESSION.

COUNCIL CHAMBER,
November 13, 1873.
2 O'CLOCK P. M.

Council met pursuant to adjournment.

Mr. President in the chair.

On roll being called the following members answered to their names:

Messrs. Cranney, Foster, Montgomery, Shaw, Smith, Stine, Wallace, Wood and Mr. President.

Mr. McLane, (Mr. Shaw in the chair,) on leave, introduced,

C. B. 37---An act supplementary to an act to re-locate the county seat of Lewis county.

Mr. Montgomery, from Committee on Claims, reported back,

C. B. 35---An act to dissolve the bonds of matrimony between Dustin Sands and Celesta A. Sands.

Recommending its passage.

Also,

C. B. 36- -An act to dissolve the bonds of matrimony between Clermont Ticknor and Emma Josephine Ticknor.

Recommending its passage.

Mr. Cranney, from Committee on Education, reported back the petition for removing the Territorial University.

Without recommendation.

C. B. 37—An act supplemental to an act to re-locate the county seat of Lewis county.

Read first and second times.

Rules suspended, read third time and passed.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
November 13, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the Speaker has signed the following:

H. B. 153—An act for the relief of S. L. Mastick & Co.

H. B. 156—An act relative to incorporating the city of Steilacoom.

H. B. 168—An act relative to the cultivation of timber in Stevens and Whitman counties.

And also the passing of the following:

H. S. B. 121—An act in relation to St. John's Insane Asylum at Vancouver, W. T.

H. B. 181—An act for the relief of William Lewis, Sheriff of Yakima county.

H. B. 185—An act to dissolve the bonds of matrimony now existing between George B. Hansell and Lottie C. Hansell.

C. B. 23—Providing for the construction of a jail in Walla Walla county.

With amendment, asking the concurrence of the Council therein.

Also the passage of,

H. B. 192—An act relating to certain fees in Walla Walla county.

H. B. 187—An act in relation to constables.

H. B. 188—An act relative to county treasurer.

H. M. 16—Relative to annexation of a part of Idaho Territoy.

CHARLES W. FRUSH,
Chief Clerk.

C. B. 36—An act to dissolve the bonds of matrimony between Clermont Tickner and Emma J. Tickner.

Read first and second times.

Rules suspended, read third time and on the question shall the bill pass?

The ayes and noes being called:

Those who voted in the affirmative were:

Messrs. Foster, Montgomery, Smith, Wallace, Wood and Mr. President-6.

Those who voted in the negative were:

Messrs. Cranney, Shaw and Stine-3.

Bill passed.

C. B. 35—An act to dissolve the bonds of matrimony between Dustin Sands and Celesta A. Sands.

Read first and second times.

Rules suspended, read third time and passed.

C. B. 23—An act to provide for the construction and erection of a county jail in Walla Walla county.

Returned from the House, with an amendment to strike out the words, "Block 9, in the city of Walla Walla."

The question being, will the Council concur?

The ayes and noes were called:

Those who voted in the affirmative were:

None.

Those voting in the negative were:

Messrs. Cranney, Foster, Montgomery, Shaw, Smith, Stine, Wallace, Wood and Mr. President-9.

The Council refused to concur.

The following were signed by the President:

H. B. 153—An act for the relief of S. L. Mastick & Co.

H. B. 168—An act relative to the cultivation of timber in Stevens and Whitman counties.

H. B. 156—An act amendatory of an act to incorporate the city of Steilacoom.

H. B. 185—An act dissolving the bonds of matrimony between George B. Hansell and Lottie C. Hansell.

Read twice, rules suspended read third time, and passed.

H. B. 192—An act relating to certain fees in Walla Walla county.

Read first time.

On motion of Mr. Stine,

Was indefinitely postponed.

The following message was received from the Governor:

TERRITORY OF WASHINGTON,
EXECUTIVE DEPARTMENT,
Olympia, W. T., November 13, 1873.

TO THE HONORABLE PRESIDENT,

Legislative Council, W. T.

I have the honor to inform the Council that I have this day approved and signed the following bill:

An act in relation to Quartz Mining claims.

ELISHA P. FERRY,

Governor.

H. B. 189—An act relative to constables.

Read first and second times.

Mr. McLane moved to lay on the table.

Lost.

Mr. Montgomery moved to suspend the rules, and now be assigned the time for the third reading of the bill.

The ayes and noes being called:

Those who voted in the affirmative were:

Messrs. Foster, Montgomery, Shaw and Wallace—4.

Those who voted in the negative were:

Messrs. Cranney, Smith, Stine, and Mr. President—4.

Motion lost.

H. B. 188—An act relative to county treasurer.

Read third time.

Mr. McLane moved to lay on the table.

Lost.

Mr. Cranney moved to indefinitely postpone.

The ayes and noes being called:

Those who voted in the affirmative were:

Messrs. Cranney, Smith, Stine and Mr. President–4.

Those who voted in the negative were:

Messrs. Foster, Montgomery, Shaw, Wallace and Wood–5.

Motion lost.

H. M. 16—Relative to annexation of a part of Idaho Territoy.

Read first and second times.

Referred to Committee on Federal Relations.

H. B. 181—An act for the relief of William Lewis, Sheriff of Yakima county.

Read first and second times.

Rules suspended, read third time and passed.

Mr. Shaw, on leave, introduced,

C. B. 38—An act to dissolve the bonds of matrimony between John Nilliver and Sarah Jane Nilliver.

Read first and second times.

Referred to Committee on Claims.

H. S. B. 121—An act in relation to St. John's Insane Asylum at Vancouver, W. T.

Read first and second times.

Referred to Committee on Ways and Means.

Mr. Cranney, on leave, introduced.

C. B. 39—An act to create a Territorial Board of Education, and defining the powers and duties thereof.

Read first and second times.

Laid on the table.

Council adjourned till to-morrow at 10 o'clock A. M.

BERIAH BROWN,
Chief Clerk.

COUNCIL CHAMBER,
November 13, 1873.

Council met pursuant to adjournment.

Mr. President in the chair.

On roll being called the following members answered to their names:

Messrs. Cranney, Foster, Montgomery, Shaw, Smith, Stine, Wallace, Wood and Mr. President.

Prayer by the Chaplain.

The Journal of yesterday was read and approved.

Mr. Wallace, from Committee on Judiciary, reported

C. B. 26—An act to suppress bawdry with women of Indian, Kanaka and Chinese blood.

Without recommendation.

Also.

H. B. 82—An act relative to notaries public.

Recommending its passage.

Mr. Montgomery, from Committee on Ways and Means, reported,

H. B. 129—An act for the relief of S. Hemenway.

With amendment to strike out $413.26, and insert $324.-80.

Also,

H. B. 180—An act for the relief of the Rev. P. E. Hyland and the Rev. C. A. Huntington, Chaplains of the Legislative Assembly.

Recommending its passage.

Also,

H. B. 117—An act relative to appropriating money on account of expense incurred in capturing Joe Nohana, charged with murdering Mr. and Mrs. Dwyer.

Also,

C. B. 32—An act to regulate fees and costs of Sheriffs of Kitsap and Jefferson counties.

Recommending its passage.

Also,

C. B. 34—An act for the relief of James Seavey.

With the recommendation that it do pass.

Also,

C. B. 33—An act to provide for the payment of bills for the public printing.

Recommending its passage.

Also,

C. B. 38—An act to dissolve the bonds of matrimony between John Nilliver and Sarah Jane Nilliver.

Recommending its passage.

Also,

H. B. 121—An act relative to the Insane Asylum at Vancouver, W. T.

Without recommendation.

Also,

H. B. 128—An act appropriating money to meet the expense of Centennial Commission.

Without recommendation.

The President announced the signing of the following:

C. B. 30—An act to dissolve the bonds of matrimony between A. J. Moses and Sarah J. Moses.

C. B. 31—An act to provide for completing the records of the present session of the Legislative Assembly.

C. B. 32—An act to authorize Arthur Quigley to keep a gate on a county road.

H. B. 171—An act relative to witnesses in contested land cases.

H. B. 159—An act relative to apportionment.

H. B. 56—An act for the relief of the sheriff of Thurston county.

H. B. 54—An act to amend an act to incorporate the city of Kalama.

H. M. 15—Relative to a mail route from Seattle to Wallula, W. T.

Mr. Shaw moved to re-consider the vote by which,

H. B. 192—An act relating to certain fees in Walla Walla county,

Was indefinitely postponed.

Carried.

Mr, Montgomery offered a substitute, which the Chair, (Mr. Shaw in the Chair,) decided the substitute out of order, being foreign matter.

Bill and substitute referred to Special Committee, consisting of Messrs. Stine and Montgomery.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
November 13, 1873.

MR. PRESIDENT:

I am instructed by the House to inform the Council that the Speaker has signed, and herewith present for the signature of the President:

H. B. 54—An act to amend an act entitled an act to incorporate the city of Kalama.

H. B. 56—An act for the relief of the Sheriff of Thurston county,

H. B. 159—An act relative to apportionment.

H. B. 171—An act relative to witnesses in contested land cases.

H. B. 166—An act relative to boundary lines in Pacific county.

H. M. 15—Relative to mail route from Seattle to Wallula.

Also the passage of

H. B. 186—An act to provide for the future care and custody of Territorial convicts.

C. S. B. 33—An act appropriating money to pay for books.

And also that the Speaker has signed and herewith transmit for the signature of the President the following:

C. B. 22—An act in relation to liens.

C. B. 30—An act to dissolve the bonds of matrimony between A. J. Moses and wife.

C. B. 31—An act to provide for completing the records of the present session of the Legislative Assembly.

C. B. 32—An act to regulate fees and costs of the Sheriffs of Kitsap and Jefferson counties.

C. W. FRUSH,
Chief Clerk.

H. B. 189—An act relative to constables.

Mr. Wallace moved to suspend the rules and now be assigned the time for its third reading.

Lost.

Bill laid on the table.

H. B. 188—An act relative to county treasurer.

Read second time and laid on the table.

H. B. 82—An act creating the office of Notary Public.

Read third time and passed.

H. M. 16—Relative to the annexation of Nez Perce and Shoshone counties, Idaho Territory.

Read third time and passed.

H. B. 121—An act relative to the Insane Asylum at Vancouver, W. T.

Read third time and laid on the table.

C. B. 38—An act to dissolve the bonds of matrimony existing between John Nilliver and Sarah Jane Nilliver.

Read third time.

The question being, Shall the bill pass.

The ayes and noes being called:

Those who voted in the affirmative were:

Messrs. Foster, Montgomery, Shaw, Smith, Wallace and Mr. President-6.

Those who voted in the negative were:

Messrs. Cranney, Stine, and Wood-3.

Bill passed and title agreed to.

C. B. 33—an act to appropriate money to pay for books.

Read third time and passed, and the title agreed to.

C. B. 34—An act for the relief of James Seavey.

Read third time and re-referred to Committee on Claims.

C. B. 32—An act to regulate fees and costs of the sheriffs of Kitsap and Jefferson.

Read third time, passed and title agreed to.

S. H. B. 117—An act to pay for certain expenses.

Read third time, passed and title agreed to.

C. B. 26—An act to suppress bawdry with Chinese women.

Laid on the table.

H. B. 180—An act for the relief of the Rev. P. E. Hyland, and the Rev. C. A. Huntington, Chaplains of the Assembly.

Read third time, passed and title agreed to.

H. B. 129—An act for the relief of S. Hemenway.

Committee reported an amendment to strike out $413.46, and insert $324.80.

Amendment adopted, and bill laid on the table, and made the Special Order for 2 P. M. to-day.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
November 12, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has passed:

C. B. 37—An act supplemental to an act to re-locate the county seat of Lewis county.

C. B. 17—An act in relation to railroads.

With amendment, asking the concurrence of the Council therein.

C. W. FRUSH,
Chief Clerk.

The President announced the signing of the following:

H. B. 181—An act for the relief of William Lewis, Sheriff of Yakima county.

H. B. 185—An act dissolving the bonds of matrimony between George B. Hansell and Lottie C. Hansell.

H. J. R. 17—

H. B. 128—An act appropriating money to meet the expense of Centennial Commission.

Read third time and laid on the table.

On motion of Mr. Cranney,

Council adjourned till 2 o'clock P. M.

AFTERNOON SESSION.

COUNCIL CHAMBER,
November 14. 1873.
2 O'CLOCK P. M.

Council met pursuant to adjournment.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES,
November 14, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has passed:

H. B. 190—An act for the relief of T. G. Murphy.

Also the passage of

H. B. 94—An act relative to Territorial Treasurer.

C. W. FRUSH,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
November 14, 1873.

MR. PRESIDENT—

I am instructed by the House to present for the signature of the President of the Council, the following:

H. J. R. 11—Relative to new business being introduced.

H. B. 181—An act for the relief of William Lewis.

Also,

H. B. 185—An act to dissolve the bonds of matrimony now existing between George B. Hansell and Lottie C. Hansell.

C. W. FRUSH,
Chief Clerk.

C. B. 17—An act in relation to railroads.

Reported from the House with an amendment.

Amendment concurred in.

H. B. 129- -An act for the relief of S. Hemenway.

Mr. Cranney moved to strike out "three hundred and thirty-four dollars and eighty cents," and insert two hundred and fifty dollars in lieu thereof.

Adopted.

Read third time as amended, and passed.

Mr. Montgomery, from Special Committee reported,

C. B. 36—An act to dissolve the bonds of matrimony existing between Clermont Ticknor and Emma Josephine Ticknor, by substitute.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES,
November 14, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has passed:

H. B. 195—An act in relation to taxing stock.

C. W. FRUSH
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Nov. 14, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the passage of

C. B. 36---An act to dissolve the bonds of matrimony between Clermont Ticknor and Emma Josephine Ticknor.

And also that the Speaker has signed and herewith transmit for the signature of the President the following:

H. B. 172—An act to pay for printing.

S. H. B. 117—An act to pay for certain expenses.

H. B. 82—An act creating the office of Notary Public.

H. B. 180—An act for the relief of the Rev. P. E. Hyland and the Rev, C. A. Huntington, Chaplains of the Legislative Assembly.

H. M. 16—Relative to annexation of a part of Idaho Territoy.

C. W. FRUSH,
Chief Clerk.

C. B. 19—An act to encourage the construction of railroads.

Was returned by the Governor to the Council, with the following message:

TERRITORY OF WASHINGTON,
EXECUTIVE DEPARTMENT,
Olympia, W. T., November 13, 1873.

TO THE HONORABLE PRESIDENT,

Legislative Council, W. T.

I return without approval, Council Bill No. 19, entitled an act to encourage the construction of railroads.

The exemption from taxation of private property, owned by corporations or by individuals, is open to very serious objections. The withdrawal of one class of property from taxation must necessarily impose upon the owners of other classes, a larger rate of taxation. If one-tenth of the taxable property in the Territory can be exempted from taxation, on the same principle, nine-tenths can be, and thus the entire burden of taxation may be made to rest upon one-tenth of the taxable property.

I am aware that exemptions of property have been made by law, and those exemptions in some cases have been sustained by the Courts; but I am clearly of opinion that those laws violate the fundamental principles of taxation. If, however, the power to exempt property is conceded, there is another insuperable objection to this bill. By its express provisions it exempts certain railroads from taxation, and leaves others fully liable to taxation. A law similar to this has, I believe, never been sustained. If

exemptions are made, they must embrace all the property of that class in the Territory, otherwise taxes would not be equal and uniform, as is proqided in the Organic Act. Under this bill, the property of one or more railroad companies, while their roads are being constructed, is exempt from taxation. While the property of other roads under construction is taxed according to its value. Want of time prevents me from giving more in detail my objections to the bill.

ELISHA P. FERRY,
Governor.

The question being, Shall the bill pass notwithstanding the objections of the Governor?

The ayes and noes being called:

Those who voted in the affirmative were:

Messrs. Cranney, Foster, Montgomery, Shaw, Smith, Stine, Wood and Mr. President–8.

Those who voted in the negative were:

Mr. Wallace–1.

There being two-thirds in the affirmative, the bill passed notwithstanding the objections of the Governor:

Message from the Governor as follows:

TERRITORY OF WASHINGTON,
EXECUTIVE DEPARTMENT,
Olympia, W. T., Nov. 14, 1873.

TO THE HONORABLE PRESIDENT,

Legislative Council, W. T.

I have the honor to inform the Council that I have this day approved and signed the following bills:

An act to change the boundary of Clarke county.

An act to authorize Arthur Quigley to keep a gate on a county road.

An act to provide for completing the records of the present session of the Legislative Assembly.

An act defining the jurisdiction and practice in the Probate Courts of W. T.

ELISHA P. FERRY,
Governor.

C. B. 34—An act for the relief of James Seavey.

Read third time, amended, and passed.

The Chair announced the signing of the following:

H. B. 117—An act relative to appropriating money on account of expense incurred in capturing Joe Nohana, charged with murdering Mr. and Mrs. Dwyer.

H. B. 82—An act relative to notaries public.

H. B. 180—An act for the relief of the Rev. P. E. Hyland, and the Rev. C. A. Huntington, Chaplains of the Assembly.

H. B. 172—An act to pay for printing.

H. M. 16—Relative to the annexation of Nez Perce and Shoshone counties, Idaho Territory.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES,
November 14, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the passage of,

C. B. 19—An act to encourage the construction of railroads.

Over the Governor's veto.

CHARLES W. FRUSH,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
November 14, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has passed:

C. B. 36—An act to dissolve the bonds of matrimony existing between Clermont Ticknor and Emma Josephine Ticknor.

With amendments.

And request the concurrence of the Council therein.

C. W. FRUSH,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
November 14, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has passed.

H B. 176—An act to amend an act entitled an act to subdivide the Judicial Districts.

C. W. FRUSH,
Chief Clerk.

C. B. 30—An act to dissolve the bonds of matrimony between A. J. Moses and Sarah J. Moses.

Was returned to the Council with the following message from the Governor:

TERRITORY OF WASHINGTON,
EXECUTIVE DEPARTMENT,
Olympia, W. T., Nov. 14, 1873.

To the Honorable
Council of the Territory of Washington :

I return without approval

C. B. 30—An act to dissolve the bonds of matrimony between A. J. Moses and Sarah J. Moses.

The power of a Territorial Legislature to grant divorces is doubtful. The Congress of the United States in 1826 disapproved all of the acts of the Territory of Florida, granting divorces. No reason is given for the disapproval, but it must necessarily have been based upon want of power, or Congress must have deemed it bad policy for a Legislature to grant them. The Supreme Court of Missouri decided that a Territorial Legislature had not the power to grant a divorce. This power, how-

ever, being a doubtful one, and having been exercised in many States, I would not feel at liberty to withhold my assent from this bill on this ground alone, if no other objection existed.

Legislative divorces have never been regarded favorably even by those who approved their legality.

The Legislature is not the proper forum before which the question of the severance of the marriage relation should be brought. No notice need be given by the party applying; no evidence need be adduced, or if evidence is produced, it is only ex parte. and need not be under oath; it is admitted that the Legislature cannot decide the question of alimony or provide for the custody of minor children; these questions being under the exclusive jurisdiction of the Courts.

These and other considerations which time will not permit me to refer to, lead me to the conclusion that divorces should only be granted by the courts.

If it is claimed that meritorious cases are brought before the Legislative Assembly, which are not provided for by the divorce laws of the Territory, I reply that the divorce law could be amended to cover all such cases, and the parties could then apply to the Courts for relief.

If causes for divorce exist outside of those provided in the Statute, which warrant the Legislative Assembly in granting a divorce in a particular case, these cases should be embraced in the general divorce law, so that all persons desiring to do so could avail themselves of its provisions.

ELISHA P. FERRY,
Governor.

The question being, Shall the bill pass notwithstanding the objections of the Governor?

The ayes and noes were called:

Those who voted in the affirmative were:

Messrs. Foster, Montgomery, Shaw, Wallace, Wood and Mr. President–6.

Those voting in the negative were:

Messrs. Cranney, Smith and Stine–3.

The bill passed notwithstanding the objections of the Governor.

H. B. 190—An act for the relief of T. G. Murphy.

Read first and second times.

Referred to Committee on Ways and Means.

H. B. 125—An act to locate a territorial road from Kalama to Yakima.

Bill laid on the table.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
November 14, 1873.

MR. PRESIDENT:

I am instructed by the House to inform the Council that the House has passed

C. B. 32—An act to regulate fees and costs of the Sheriffs of Kitsap and Jefferson counties.

C. B. 33—An act to appropriate money to pay for books.

C. W. FRUSH,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
November 14, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has passed:

H. B. 189—An act to pay the clerk of the Judiciary Committee of the House.

C. W. FRUSH,
Chief Clerk.

H. B. 186—An act to provide for the future care and custody of Territorial convicts.

Read first time.

Laid on the table.

H. B. No—An act regulating the toll for grinding grain.

Read first time.

Laid upon the table.

The Chair announced the signing of the following:

C. B. 17—An act in relation to railroads.

C. B. 36—An act to dissolve the bonds of matrimony existing between Clermont Ticknor and Emma Josephine Ticknor.

C. B. 33—An act to provide for the payment of bills for the public printing.

C. B. 32—An act to regulate fees and costs of Sheriffs of Kitsap and Jefferson counties.

Mr. Cranney moved to instruct the Committee on Counties to return to the Council the bill to organize Skagit county.

Lost.

On motion of Mr. Cranney,

Council adjourned till 7 o'clock P. M.

EVENING SESSION.

COUNCIL CHAMBER,
November 14, 1873.
7 O'CLOCK P. M.

Council met pursuant to adjournment.

Mr. President in the chair.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES,
November 14, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House recedes from its first amendment to,

C. B. 36—An act to dissolve the bonds of matrimony existing between Clermont Ticknor and Emma Josephine Ticknor, by substitute.

And also present for the signature of the President of the Council, the following:

H. B. 71—Authorizing the purchase of the Runquest shackle.

H. B. 125—Relative to locating a Territorial road.

C. W. FRUSH,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
November 14, 1873.

MR. PRESIDENT—

I am instructed by the House to present for the signature of the President of the Council, the following:

H. B. 129—An act for the relief of S. Hemenway.

C. W. FRUSH
Chief Clerk.

HOUSE OF REPRESENTATIVES,
November 14, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has concurred in Council amendment to,

H. B. 129—An act for the relief of S. Hemenway.

CHARLES W. FRUSH,
Chief Clerk.

H. B. 125—An act relating to a Territorial road.

Taken up, read third time, and passed.

H. B. 190—An act for the relief of T. G. Murphy.

Council resolved itself into Committee of the Whole on said bill.

Mr. Smith in the Chair.

After some time spent therein, Committee rose, reported

an amendment—Strike out one hundred dollars and insert five hundred dollars in lieu thereof.

Recommending that it do pass as amended.

Adopted.

Read third time, passed and title agreed to.

On motion of Mr. Wallace,

H. B. 71—An act relative to the Runquist shackle.

Was taken up.

Mr. Stine moved to lay on the table.

The ayes and noes being called:

Those who voted in the affirmative were:

Messrs. Shaw, Stine and Mr. President-3.

Those who voted in the negative were:

Messrs. Cranney, Foster, Montgomery, Smith, Wallace and Wood-6.

Motion lost.

The bill was read a third time, and the ayes and noes being called:

Those who voted in the affirmative were:

Messrs. Cranney, Foster, Montgomery, Smith, Wallace and Wood-6.

Those voting in the negative were:

Messrs. Shaw, Stine and Mr. President-3.

Bill passed.

Messages from the Governor as follows:

TERRITORY OF WASHINGTON,
EXECUTIVE DEPARTMENT,
Olympia, W. T., Nov. 14, 1873.

TO THE HONORABLE PRESIDENT,

Legislative Council, W. T.

I have the honor to inform the Council that I have this day approved and signed the following bills:

An act in relation to the liens of mechanics and materialmen.

An act supplemental to an act to re-locate the county seat of Lewis county.

ELISHA P. FERRY,
Governor.

TERRITORY OF WASHINGTON,
EXECUTIVE DEPARTMENT,
Olympia, W. T., November 14, 1873.

TO THE HONORABLE PRESIDENT,

Legislative Council, W. T.

I have the honor to inform the Council that I have this day approved and signed the following bill:

An act for the relief of James Seavey, and William Hubbard.

ELISHA P. FERRY,
Governor.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
Nov. 14, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the Speaker has signed:

C. B. 33—An act to provide for the payment of bills for the public printing.

C. B. 32—An act to fix the time of holding of the Supreme and District Courts.

C. B. 17—An act in relation to railroads.

C. B. 36—An act to dissolve the bonds of matrimony between Clermont Ticknor and Emma Josephine Ticknor.

And that the House has refused to pass:

C. B. 34—An act for the relief of James Seavey.

Over the Governor's veto.

C. W. PRUSH,
Chief Clerk.

H. B. 34—An act for the relief of James Seavey.

Reported from the House with amendments to strike ou the name of James Seavey and all relating to him. Also to strike out $400 and insert $175 in lieu thereof.

Council refused to concur in the first amendment, and concurred in the second amendment.

HOUSE OF REPRESENTATIVES,
November 14, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House refuses to concur in Council amendment to,

H. B. 190—An act for the relief of T. G. Murphy.

C. W. FRUSH,
Chief Clerk.

H. B. 190—An act for the relief of T. G. Murphy.

Returned from the House with the refusal of the House to concur in the Council amendment.

The Council refused to recede.

Mr. Wallace moved to take from the table,

H. B 83—An act to provide for the election of county commissioners, and defining their duties.

Lost.

S. H. B. 189—An act relative to paying the clerk of the Judiciary Committee of the House.

Read first and second times.

Mr. Wallace moved to amend by striking out the words "H. Lowe, Clerk of Judiciary Committee," and insert "Frank Clark, Chairman of Judiciary Committee," in lieu thereof.

Carried.

On motion to suspend the rules, and now be assigned the time for the third reading of the bill.

The ayes and noes being called:

Those who voted in the affirmative were:

Messrs. Foster, Montgomery, Shaw, Wallace, Wood and Mr. President–6.

Those who voted in the negative were:

Messrs. Cranney, Smith, and Stine–3.

Rules suspended, read third time and,

The ayes and noes being called:

Those who voted in the affirmative were:

Messrs. Cranney, Foster, Montgomery, Shaw, Wallace, Wood and Mr. President–7.

Those who voted in the negative were:

Mr. Smith, Stine–2.

Bill passed and title agreed to.

The President announced the signing of the following:

H. B. 129—An act for the relief of S. Hemenway.

H. B. 176—An act to amend an act entitled an act to subdivide the Judicial Districts.

Read first time and laid over under the rules.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
November 14, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House refuses to concur in Council amendment to

H. B. 189—An act relative to paying the Clerk of the Judiciary Committee.

And the Speaker has signed:

C. B. 36—An act to dissolve the bonds of matrimony between Clermont Ticknor and Emma Josephine Ticknor.

C. W. FRUSH,
Chief Clerk.

The President announced the signing of the following:

C. B. 36—An act to dissolve the bonds of matrimony between Clermont Ticknor and Emma Josephine Ticknor.

On motion of Mr. Wallace,

Council receded from its amendment to.

H. B. 189—An act relative to the clerk of the Judiciary Committee of the House.

The President announced the signing of the following:

H. B. 189—An act in relation to the clerk of the Judiciary Committee of the House.

The following message was received from the Governor:

TERRITORY OF WASHINGTON,
EXECUTIVE DEPARTMENT,
Olympia, W. T., Nov. 14, 1873.

To the Honorable

Council of the Territory of Washington:

I have the honor to inform the Council that I have this day signed the following bills:

An act to appropriate money to pay for books.

An act to prevent extortion and unjust discrimination in the rates charged for the transportation of passengers and freight on railroads in this Territory.

An act to regulate fees and costs of the sheriffs of Kitsap and Jefferson. Approved Nov. 29, 1871.

ELISHA P. FERRY,
Governor.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
November 14, 1873.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House is now ready to adjourn *sine die.*

C. W. FRUSH,
Chief Clerk.

Mr. Stine, (Mr. Wallace in the Chair,) moved that the thanks of the Council be unanimously tendered to the President of the Council for the able, dignified and impartial manner in which he presided over the deliberations of this body.

Adopted.

Mr. Montgomery moved that the thanks of the Council be tendered to the Chief Clerk for the efficient services he had rendered the Council.

Adopted.

Mr. Cranney moved that the thanks of the Council be tendered to the Assistant Clerk.

Adopted.

Mr. Montgomery moved that the thanks of the Council be tendered to the Enrolling Clerk, and all the other officers of this Council.

Adopted.

Mr. Shaw moved that the thanks of the Council be tendered to the Governor and the Secretary of the Territory for their uniform courtesy and kindness.

Adopted.

The Journal of to-day was read and approved.

The Chief Clerk was instructed to inform the House that this Council is now ready to adjourn *sine die.*

The President having resumed the chair, declared the Council adjourned *sine die.*

BERIAH BROWN,
Chief Clerk.